United Nations S/PV.4241

Security Council

Fifty-fifth year

Provisional

4241st meeting

Tuesday, 5 December 2000, 8 p.m.

New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Argentina	Mr. Cappagli
	Bangladesh	Mr. Ahmed
	Canada	Mr. Heinbecker
	China	Mr. Chen Xu
	France	Mr. Levitte
	Jamaica	Miss Thomas
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Andjaba
	Netherlands	Mr. Verweij
	Tunisia	Mr. Chaouachi
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 5 of resolution 1302 (2000) (S/2000/1132)

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00-78264 (E)

The meeting was called to order at 8.25 p.m.

Expression of thanks to the retiring President

The President (*spoke in Russian*): As this is the first meeting of the Security Council for the month of December, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Peter van Walsum, Permanent Representative of the Netherlands to the United Nations, for his service as President of the Security Council for the month of November 2000. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador van Walsum for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 5 of resolution 1302 (2000) (S/2000/1132)

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraph 5 of resolution 1302 (2000), document S/2000/1132.

Members of the Council also have before them document S/2000/1149, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Sir Jeremy Greenstock (United Kingdom): It is a great pleasure, Mr. President, to see you in the Chair. In keeping with your style, please accept my abbreviated compliments. Likewise your predecessor, who did excellent work in November.

The United Kingdom is very pleased to see what we expect will be the unanimous adoption of draft resolution S/2000/1149. It is right for the Council to unite behind this programme, which is important and necessary for the welfare of the Iraqi people. It is also right at this juncture for us to pay tribute to the staff of the United Nations who work so hard to implement the programme in sometimes difficult conditions.

The United Kingdom played a central role in the preparation of this draft resolution, and we are therefore well placed to realize the compromises that were made to allow it to be adopted. There were measures we would have preferred to see included; no doubt there were other measures that others would have preferred to see included. But the draft resolution represents a reasonable balance of our collective interests and an important contribution to the work of the programme. There are a number of technical measures contained in the draft resolution, such as the extension of the so-called green, or pre-approved, lists that will ease and improve the implementation of the programme. Again, we ask for the implementation of the so-called cash component across all sectors in Iraq, a measure which, if Iraq allowed it to be implemented, has the potential to make a significant difference to the humanitarian situation by allowing the local economy to be revived.

Perhaps the most important measure we are enacting is to use the money made available from our decision to reduce the funds for compensation to address directly the needs of the vulnerable groups in Iraq. As the Secretary-General has often reported, the needs of those groups — the poorest, the displaced children and the elderly — are often neglected. We look forward to hearing in the next 180-day report how the first tranche of money has been used to meet their needs.

The President (*spoke in Russian*): I thank the representative of the United Kingdom for the abbreviated kind words he addressed to me.

Mr. Hasmy (Malaysia): My delegation, Sir, is pleased to see you presiding over the Council and to thank your predecessor for a job well done.

My delegation will vote in favour of draft resolution S/2000/1149 because we support efforts that

will ensure the smooth and unimpeded implementation of the humanitarian programme for Iraq, which is vital for ameliorating the plight of the Iraqi people, who continue to suffer from the effects of the 10-year-old comprehensive sanctions imposed on their country.

As reflected in the draft resolution, and pointed out by the Secretary-General in his latest report to the Council, contained in document S/2000/1132 of 29 November 2000, the humanitarian programme for Iraq is temporary and short-term in nature and

> "was never intended to meet all the humanitarian needs of the Iraqi population or to be a substitute for normal economic activity". (*S/2001/1132, para. 5*)

Also, as the Secretary-General has pointed out, the programme is not geared to address or remedy the long-term deterioration of the living standards of the people or their declining educational and health standards and the country's declining infrastructure.

My delegation is grateful to the Secretary-General for reminding the Council and the international community of the temporary nature of the humanitarian programme we are extending for Iraq today for another 180 days. It is important that members of the Council keep this in perspective and that we remind ourselves as we renew the programme that this is its fourth year and that there is a real risk that what was intended to be a temporary mechanism to provide humanitarian relief to the Iraqi people may well become a permanent arrangement, as is the case in respect of the sanctions regime itself.

The humanitarian programme, however well-intentioned and executed, cannot be a substitute for the lifting of the sanctions, which alone can deliver the Iraqi people out of their present sorry state of affairs, which has been well documented. As the Secretary-General himself stated in his report,

> "the vast majority of the Iraqi people still faces a situation of decreasing income, thereby intensifying the dependency of the poorer strata on the commodities and services provided through the programme". (*ibid, para. 3*)

He goes on to comment on the patterns of pauperization and growing food insecurity among the Iraqi people, particularly among the most vulnerable of them. The majority of the population struggle to maintain themselves above subsistence level, while vast numbers of highly trained professionals have emigrated due to the deterioration of their living standards as well as isolation from developments in their respective fields, such as science and medicine. These are the very people Iraq can ill afford to lose for its long-term rehabilitation.

It is important that, as the Council extends the humanitarian programme, members keep in mind the sobering reminder of the Secretary-General, which he and the Executive Director of the Iraq Programme never tire of repeating in each and every one of their reports and briefings.

My delegation is also grateful to the Secretary-General and the Executive Director of the Office of the Iraq Programme for drawing attention repeatedly in their reports and briefings to the problem of the holds in the Security Council Committee established by resolution 661 (1990), known as the 661 Committee, which have become a major impediment to the programme's smooth running, with obvious negative effects on the ground. In his report, the Secretary-General has expressed serious concern over the excessive number of holds placed on applications. He observed that the volume of holds had risen drastically to $2.31 billion as at 31 October 2000, and had impacted adversely on such important sectors as electricity, water and sanitation, agriculture, transportation and telecommunications. The holds have also adversely affected efforts to deal with the serious problems of sewage and sanitation.

It is equally true in respect of the deteriorating oil infrastructure, including the important Mina al-Bakr oil terminal, which has not shown any marked improvement since it was highlighted in the Secretary-General's last report. The Secretary-General has also drawn attention to the holds on trucks, which are badly needed for transportation of food supplies. If not eased, these may soon affect the distribution of food rations.

My delegation strongly supports the Secretary-General's appeal to all parties concerned to fully cooperate and address the excessive number of holds placed on applications.

Many reasons, of course, have been adduced to explain the holds, but, while some of them are plausible and will in time be resolved, many others clearly will require the necessary political will on the part of Council members. At any rate, whatever the reasons, what is alarming and of serious concern to the

Secretary-General, and to my delegation, is the excessive number of holds, which must be urgently addressed and resolved. It remains our hope that the Secretary-General's next report to the Council on this subject will present a more positive picture of the question of the holds and of the humanitarian situation in Iraq in general.

My delegation continues to be dismayed by the current humanitarian situation in Iraq and agrees with the Secretary-General's characterization of the sanctions regime as one that enjoyed considerable success in its disarmament mission but has been responsible for worsening the humanitarian crisis in that country as an unintended consequence.

Like him, we too are seriously concerned at the continuing suffering of the Iraqi people and hope that the sanctions imposed on Iraq can be lifted sooner rather than later. For this, all parties concerned must play their respective roles. In this regard, my delegation looks forward to the upcoming dialogue with Iraq in the context of the Secretary-General's good offices, which, hopefully, will facilitate the early and amicable resolution of all outstanding issues with Iraq in the interests of the well-being of the Iraqi people and regional and international peace and security.

In conclusion, let me take this opportunity to pay tribute to Ambassador Peter van Walsum, Chairman of the 661 Committee, for the able manner in which he discharges onerous duties under very difficult circumstances.

The President *(spoke in Russian)*: I thank the representative of Malaysia for his kind words addressed to me.

Mr. Cunningham (United States of America): The United States is pleased to support this latest expression of the Council's efforts to improve the humanitarian situation of the Iraqi people.

We continue to believe that the oil-for-food programme is meeting the needs of the Iraqi people while denying the Baghdad regime access to funds it would use to further threaten its neighbours. The oil-for-food programme can be improved, and the changes which we have agreed to today reflect our interest in making those improvements. But the most effective change would be for the regime to stop obstruction and implement the relevant humanitarian sections of resolution 1284 (1999), which are intended to improve the operation of the oil-for-food programme.

While the Security Council implemented every humanitarian paragraph in resolutions 1284 (1999) and 1302 (2000), the Government of Iraq denied thousands of its citizens the opportunity to perform the hajj, submitted virtually no contracts for the health, water and sanitation, education or oil sectors for phase VIII of the programme, proposed a conversion of the escrow account from dollars to euros, which will cost the humanitarian programme hundreds of millions of dollars, and initiated a housing sector distribution programme that ignores those most in need of housing assistance, against the understanding of the Secretary-General.

Council agreement to Iraq's requests, such as the conversion of the escrow account, has reaped few benefits. On the contrary, during the negotiation of this new phase of the programme we have seen numerous Iraqi attempts to avoid, rather than accept, obligations to the international community. This is clearly unacceptable and works to the detriment of the Iraqi people.

In this draft resolution the Council underscores that arrangements for the purchase of locally produced goods and for the cash component of the oil sector are subject to the Council's approval and are desirable. Funding the cash component in the oil sector is linked conceptually to the need for cash components in all sectors. As the Secretary-General made clear in his report, a cash component is essential for all sectors of the programme. Making progress on this is important and has been a priority for some time.

The Secretary-General should also give priority to making arrangements associated with essential human needs, as requested in resolution 1284 (1999) and in the draft resolution, as well as for the oil industry. We would view submission of arrangements for the oil industry only as incomplete, and the draft resolution calls upon the Government of Iraq to cooperate in the implementation of all such arrangements.

The Security Council agreed in September to transfer funds from the United Nations Compensation Commission for strictly humanitarian projects, and this draft resolution does that. For that move to have real meaning, those funds must be used in a way that takes into account the key elements of the humanitarian

needs of the Iraqi people, as well as the needs of the victims of aggression. Specifically, we suggested that those funds be directed towards malnutrition in children, including the establishment of supplementary feeding centres, the purchase and provision of targeted nutrition supplies and breast-feeding education programmes; for health and nutritional support for internally displaced persons; for specific health infrastructure support for the southern governorates, including Basra; for infrastructural improvements in the health and education sectors; and for the purchase and use of children's vaccines and health and nutritional support for orphaned children resident in other institutions.

The focus of this effort should be on the priorities identified with the Secretary-General and by United Nations personnel on the ground. We hope that the Government of Iraq will cooperate across the board on these and other humanitarian issues. The problem is not lack of resources. Indeed, the Government of Iraq has given up almost $300 million in converting currency from dollars to euros, and, according to the oil-for-food programme, it should give up some $500 million in this phase by stopping the flow of oil. This means some $800 million will be sacrificed which could have benefited the people of Iraq.

We look forward to the implementation of this new six-month phase of the programme. We will continue to work in this Council to gain Iraqi acceptance of its obligations to the international community.

Mr. Cappagli (Argentina)(*spoke in Spanish*): I wish at the outset to congratulate you, Mr. President, and to express my appreciation to Mr. van Walsum for his excellent leadership in November. I also wish to thank the delegation of the United Kingdom for preparing and introducing the draft resolution under consideration.

We support the text of the draft resolution contained in document S/2000/1149, which represents the lowest common denominator for achieving consensus. The text includes a series of new elements, including the allocation of 600 million euros for the oil industry to be used as a cash component. We believe this measure will bring enormous benefit. Similarly, we support the prompt implementation of the cash component in all sectors.

With regard to the payment of Iraqi contributions, referred to in paragraph 8 of the draft resolution, we would have preferred to have reached an agreement on its implementation.

Similarly, with regard to updating the approved simplified listings, the electricity and housing sectors have been included. We hope that the transportation and telecommunications sectors will soon be included, pursuant to the Secretary-General's recommendations.

We support the use of surplus funds designated for the Compensation Committee for humanitarian purposes and, specifically, for the most vulnerable groups. This measure will enable the initiation of concrete projects to help the sectors identified in the Secretary-General's report.

Finally, the updating of the list established according to resolution 1051 (1996) has been scheduled. Thanks to that, we will be able to rely on this necessary action before concluding phase IX.

We are convinced that the progress contained in this draft resolution will be reflected in concrete improvements in the humanitarian situation. Similarly, we hope that they will contribute to achieving greater cooperation in the implementation of the relevant resolutions.

The President (*spoke in Russian*): I thank the representative of Argentina for the kind words he addressed to me.

Mr. Chen Xu (China)(*spoke in Chinese*): The Chinese delegation will vote in favour of the draft resolution, because while Iraq is still under comprehensive sanctions extending the oil-for-food programme is the only effective means to alleviate the humanitarian suffering of the Iraqi people.

It must be pointed out that in certain areas the draft resolution does not fully reflect our requests and positions.

It is well known that the current oil industry situation in Iraq is extremely worrying and can hardly be sustained. Both the Secretary-General and independent oil experts have repeatedly submitted extremely objective and professional reports to the Council. The Iraqi Government has proposed the use of a certain amount of cash components in order to maintain and improve oil-producing conditions. These are reasonable and practical proposals, and the Security

Council should consider them positively. However, this has not been appropriately reflected in the draft resolution, and we very much regret this.

In the past two years the United Nations Office of the Iraq Programme and the many humanitarian agencies in Iraq have repeatedly pointed out that the communications facilities in Iraq can hardly meet basic needs and requests. This is one of the most crucial areas that have seriously hampered the implementation of humanitarian projects. Effective measures are needed to improve this situation.

However, not only have large amounts of contracts been put on hold, but the proposal agreed by many members of the Council that the Secretary-General present a list for rapid approval has not been accepted, due to the differing opinions of a number of Member States. We deeply regret this.

As the oil-for-food programme is about to be extended, we must mention that many humanitarian projects have been put on hold. According to the latest report of the United Nations Office of the Iraq Programme, the amount that has been put on hold exceeds $2.5 billion, and there is no sign of improvement. Obviously, this cannot be accepted. Although the Secretary-General has launched many appeals, and the contract-submitting countries have done their best to cooperate, many contracts have yet to be approved. Obviously, this has not been caused by purely technical reasons. Once again China calls upon the countries concerned to prove by their actions that they are sincere in reducing the holds.

The comprehensive sanctions regime lasting more than 10 years is the major reason for the humanitarian sufferings of the Iraqi people. This is an undeniable fact. The oil-for-food programme cannot, and will never, completely address those humanitarian sufferings. Only early lifting of the sanctions can achieve this objective. Therefore, China calls for the early lifting of the comprehensive sanctions against Iraq.

Mr. Heinbecker (Canada): Our primary concern has always been and remains to ensure the continuation without disruption of the United Nations humanitarian programmes in Iraq. This draft resolution accomplishes that objective. We could have lived with the simple extension of the oil-for-food programme, leaving the contentious issues aside. However, we are satisfied that we now have a draft resolution that makes progress in addressing the humanitarian situation of the Iraqi people, and we are happy to support it on that basis.

On the issue of how to manage the additional 5 per cent of revenue redistributed from the United Nations Compensation Commission, our understanding was that this additional revenue was to have been targeted at specific needs. We would have liked to see a separate escrow account established to deliver targeted nutrition programmes to children and pregnant women. This would have been especially useful, given Iraq's reticence in providing funding for these programmes. This could not be agreed. We welcome nevertheless the focus on delivering assistance to the most vulnerable citizens. The next distribution plan negotiated with the Government of Iraq should include a stepped up nutrition programme and other targeted programmes for the most vulnerable. We look forward to the Secretary-General's report in 180 days on that issue.

With respect to Iraq's payment of its United Nations dues, our position continues to be that we do not support the transfer of humanitarian funds for this purpose. We do not think it is appropriate to divert humanitarian funds to pay for the United Nations Secretariat and members of the bureaucracy. For the purposes of compromise, we have, however, accepted the decision to examine this issue further.

On the oil sector cash component, we believe its cash components are necessary, and we supported their inclusion in resolution 1284 (1999). We are not fully persuaded that separating out the oil sector from others is the best way to meet the needs of the Iraqi people. Again, we recognize that there are differing views on this issue among Council members and that we have arrived at a workable way forward.

We agree with the need for the observation capacity to be fully implemented by the Office of Iraq Programme within 90 days, if possible, and we welcome this element.

Finally, we call on the Government of Iraq to cooperate fully in implementing this draft resolution and resolution 1284 (1999).

Mr. Levitte (France) (*spoke in French*): The Security Council will be extending the humanitarian programme in Iraq for a ninth phase. France will vote in favour of the text for two reasons.

First, France is deeply committed to the continuity of the programme, for the long-suffering

Iraqi population, after 10 years of sanctions, needs it badly. Furthermore, this text contains a number of positive measures that will make it possible to increase the resources available to the population. Additional funding from the Compensation Fund and the programme services account will be immediately allocated to humanitarian projects, in conformity with existing procedures.

The draft resolution also calls upon the Secretary-General, in consultation with the Iraqi Government, to make the necessary arrangements to find resources for the maintenance and operation of Iraq's oil installations. These funds will enable the Iraqi Government to increase its oil production capacity while safeguarding the environment and ensuring the safety of its personnel. This measure is therefore a positive one, for it will bring about a sustainable increase in Iraq's oil income, which is the only source of funding for the humanitarian programme.

However, we regret the fact that there are several shortcomings in the draft. No decision has been taken about the payment of Iraq's arrears to the United Nations from the escrow account, which is not a humanitarian account but a bureaucratic instrument. We will have to come back to this important question, for the principle of paying the arrears is set out in the draft resolution.

Nor has any concrete measure been included to decrease the high level of holds, which has been deemed unacceptable by the Secretary-General. We believe that this is regrettable, because the question of holds is the principal obstacle to the smooth functioning of the programme.

Finally, the Council will have to take a further decision very soon to authorize Iraq to give financial aid to the Palestinians from the escrow account.

At a time when the Secretary-General was engaged in a dialogue with the Iraqi authorities to renew cooperation between Iraq and the United Nations, on the basis, in particular, of the implementation of resolution 1284 (1999), it was particularly important that the Security Council not overlook its responsibilities with regard to the management of the humanitarian programme. The Council has responded by renewing the programme for a ninth phase and by including meaningful improvements.

It is now up to the Council to proceed to a further phase of its work by clarifying anything that is ambiguous or obscure in resolution 1284 (1999), an indispensable prerequisite to its implementation. The French delegation will act accordingly in the weeks to come.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

The Russian Federation supported the Council's draft resolution extending the United Nations humanitarian programme into its ninth phase. This was made possible by the sponsors' taking into account several provisions that are matters of principle for us and which truly promote the improved effectiveness of the humanitarian programme.

The draft resolution mentions the understanding reached in September on reducing the deduction rate of funds transferred to the Compensation Fund from 30 to 25 per cent. The draft also contains provisions on the elaboration of a mechanism for the further reduction of the payments, which should become a reality in the very near future. We also consider a step forward the fact that the draft addresses the Security Council's obligation to consider the question of Iraq's contributions to the regular budget of the United Nations.

There is a new and important element in the humanitarian programme regarding the necessity of providing 600 million euros to meet the needs of Iraq's petroleum sector.

Particular attention should be given to the fact that it was agreed not to include any confrontational provisions in the draft regarding individual aspects of the sanctions regime which do not have any direct connection with the humanitarian programme.

I should like to emphasize that Russia has always supported, and continues to support, an overall review of the sanctions in the Security Council, but on the basis of a comprehensive approach, not a selective one. Regrettably, the draft does not reflect any of the concerns contained in the report of the Secretary-General and in the briefing of the Executive Director of the Office of the Iraq Programme, Mr. Sevan, including, most importantly, the continuing problem of contract holds. We would like to see this problem

resolved as soon as possible, as the Secretary-General recommends.

Russia continues to view the humanitarian programme as a transition measure which cannot be an alternative to the stable social and economic development of Iraq.

We are convinced that a fundamental resolution of the problem of the humanitarian crisis will be impossible as long as sanctions are maintained. Consequently, we are in favour of suspending and lifting the sanctions in the context of the implementation of the Security Council's resolutions. We will continue to work actively to this end.

I now resume my functions as President of the Security Council.

I put to the vote the draft resolution contained in document S/2000/1149.

A vote was taken by show of hands.

In favour:

Argentina, Bangladesh, Canada, China, France, Jamaica, Malaysia, Mali, Namibia, Netherlands, Russian Federation, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Russian*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1330 (2000).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 9.05 p.m.

United Nations S/PV.4242

Security Council
Fifty-fifth year

Provisional

4242nd meeting
Wednesday, 6 December 2000, 10.30 a.m.
New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Ahmed
	Canada	Mr. Heinbecker
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Mr. Ward
	Malaysia	Mr. Hasmy
	Mali	Mr. Kassé
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. van Walsum
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland	Mr. Grainger
	United States of America	Ms. Soderberg

Agenda

The responsibility of the Security Council in the maintenance of international peace and security.

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00-78328 (E)

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The responsibility of the Security Council in the maintenance of international peace and security

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hans Corell, Under-Secretary-General for Legal Affairs, the Legal Counsel.

There being no objection, it is so decided.

I invite Mr. Corell to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting today in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Hans Corell, Under-Secretary-General for Legal Affairs, the Legal Counsel. I give him the floor.

Mr. Corell: Thank you for inviting me to brief the Security Council on this very important topic, international terrorism. A couple of days ago I provided a briefing note in which I have elaborated together with my collaborators, in the Office of Legal Affairs, on this topic.

The briefing note examines the role of the Security Council, the General Assembly and the Secretariat of the United Nations as regards the significant developments in international law pertaining to terrorism that took place in the 1990s. Particular attention is given both to the application of sanctions in specific cases and to the strides made in the development of a legal framework of conventions dealing with international terrorism where a number of innovative measures have been taken. As it appears, the note attempts to give a general overview of the situation, while at the same time it describes in more detail, under separate headings, salient parts of the documents discussed in order to provide more in-depth information to the interested reader.

Allow me first to focus on the actions taken by the Security Council in this field. The Council has dealt with the matter both in general terms and in more specific cases.

First, members of the Security Council will recall that the Council addressed the matter of international terrorism in general in January 1992. In a statement issued on the occasion of the Security Council Summit of 31 January 1992, the members of the Council expressed their deep concern over acts of international terrorism and emphasized the need for the international community to deal effectively with all such acts.

The most prominent individual cases in which the Council has dealt with the issue of international terrorism are those involving Libya, Afghanistan and the Sudan. I am, of course, prepared to present these cases to the members of the Council if this is deemed useful. However, since these are matters with which the Council is familiar, I do not otherwise intend to dwell upon them in this presentation. For the convenience of the members of the Council, the details are included in the briefing material.

I should instead like to focus on the very important Security Council resolution 1269 (1999) of 19 October 1999. In this resolution, the Council, inter alia, unequivocally condemned

> "all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security". (*resolution 1269 (1999), para. 1*)

The Council called upon States to implement fully the anti-terrorism conventions to which they are parties and to consider adhering to those to which they are not parties. It encouraged the speedy adoption of pending conventions; emphasized the need for enhanced cooperation among States and regional and international organizations; and called upon States to take a series of steps in order to prevent the preparation, financing and commission of terrorist acts and to bring to justice the perpetrators of such acts. Furthermore, the Council expressed its readiness

> "to take necessary steps in accordance with its responsibilities under the Charter of the United

Nations in order to counter terrorist threats to international peace and security". (*ibid., para. 6*)

In the resolution, the Security Council also requests the Secretary-General, in his reports to the General Assembly — in particular those reports submitted in accordance with General Assembly resolution 50/53 on measures to eliminate international terrorism — to pay special attention to the need to prevent and fight the threat to international peace and security as a result of such terrorist activities. I will revert to this issue in a few moments.

I should now like to focus on actions taken by the General Assembly. The first element in this context is the 1994 Declaration on Measures to Eliminate International Terrorism. During the 1990s, the principal trend to emerge from discussions in the Sixth Committee on the topic of international terrorism was an emphasis on international cooperation between States as the primary means to prevent and eliminate international terrorism. To this end, Member States elaborated a draft declaration on measures to eliminate international terrorism. The General Assembly adopted the Declaration on Measures to Eliminate International Terrorism in resolution 49/60 of 9 December 1994.

The preambular paragraphs of the 1994 Declaration refer to the desirability for closer coordination and cooperation among States in combating crimes closely connected with terrorism, including drug trafficking, unlawful arms trade, money laundering and the smuggling of nuclear materials; the "determination of the Assembly to eliminate international terrorism in all its forms and manifestations"; and the desirability of keeping under review the scope of existing international legal provisions in order to ensure a comprehensive legal framework for the elimination of terrorism.

In the Declaration, the Member States solemnly reaffirmed their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States. Furthermore, it is declared that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them. More detailed information appears in my briefing note.

In 1996, the General Assembly adopted the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism. This was done in resolution 51/210 of 17 December 1996. In the Declaration, the General Assembly reaffirmed that States should take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts. In this regard, relevant information as to whether the asylum-seeker is subject to investigation for or is charged with or has been convicted of offences connected with terrorism should be considered. The General Assembly says that the same should apply, after granting refugee status, for the purpose of ensuring that that status is not used for the purpose of preparing or organizing terrorist acts intended to be committed against other States or their citizens. Further details are given in the briefing note.

Allow me now to focus on the 1997 International Convention for the Suppression of Terrorist Bombings.

In 1996, the Secretary-General prepared a report pursuant to General Assembly resolution 50/53 in relation to the implementation of the 1994 Declaration on Measures to Eliminate International Terrorism. In this report, the Secretary-General conducted an analytical review of existing international legal instruments relating to international terrorism and concluded that there was a need to elaborate international treaties or other kinds of instruments in areas or with respect to subjects not covered by existing treaties. Possible subjects suggested by the Secretary-General included terrorist bombings, terrorist fund-raising, traffic in arms, money laundering and preventing the use of weapons of mass destruction by terrorists and the use of modern information technology for terrorist purposes. The goal was to develop a comprehensive legal framework of conventions for dealing with international terrorism.

In resolution 51/210, the General Assembly decided to establish an Ad Hoc Committee to elaborate an international convention for the suppression of terrorist bombings and, subsequently, an international convention for the suppression of acts of nuclear

terrorism, to supplement related existing international instruments. The General Assembly also decided that the Ad Hoc Committee would at a later stage address means of further developing a comprehensive legal framework of conventions dealing with international terrorism.

The Ad Hoc Committee, whose mandate has been renewed on a yearly basis since 1997, was instrumental in preparing, in the latter half of the 1990s, some of the most important international conventions against international terrorism. The Committee is composed of all States and has met for an average of two weeks in the first half of each year, while a Working Group of the Sixth Committee has continued the elaboration of the respective conventions during an additional period of two weeks in the second semester of each year.

The first task entrusted to the Ad Hoc Committee was the elaboration of an international convention for the suppression of terrorist bombings. France, on behalf of the Group of Seven and the Russian Federation, submitted a preliminary working document, which constituted the basis of the negotiations.

The International Convention for the Suppression of Terrorist Bombings was adopted in General Assembly resolution 52/164 of 15 December 1997 and constitutes one of the main achievements of the Ad Hoc Committee. The provisions of the terrorist bombings Convention have been used in the subsequent negotiations of other anti-terrorism conventions. The details appear in the briefing note.

The terrorist bombings Convention was opened for signature on 12 January 1998 and, as of 1 December 2000, had 58 signatories and 16 ratifications. The Convention requires 22 ratifications to enter into force.

The next achievement in this context is the 1999 International Convention for the Suppression of the Financing of Terrorism.

As early as 1996, the Secretary-General considered that there was a need to elaborate an international treaty dealing with terrorist fund-raising. This convention would contribute to the General Assembly's stated goal of developing a comprehensive legal framework of conventions for dealing with international terrorism. Such a convention would not only punish those financing terrorist acts, but would also prevent such financing through mutual legal assistance and cooperation. It would also serve as a means of alerting donors who intended to contribute to charitable, humanitarian or other legal causes that their funds could be used to finance terrorist activities.

In 1998, the General Assembly decided that the Ad Hoc Committee should elaborate a draft international convention for the suppression of terrorist financing. The basis for the discussions in the Ad Hoc Committee was a draft convention prepared by France. Many of the provisions in the draft convention closely follow the corresponding provisions of the terrorist bombing Convention.

The International Convention for the Suppression of the Financing of Terrorism was adopted without a vote in General Assembly resolution 54/109 of 9 December 1999. With respect to the details, I refer again to the briefing note.

The Convention was opened for signature on 10 January 2000. As of 1 December 2000 it had 35 signatories and 2 ratifications. This Convention represents a further step in the consolidation of legal norms pertaining to the elimination of international terrorism. It not only reaffirms certain principles included in the terrorist bombings Convention but also extends the reach of the international legal regime to acts ancillary to terrorist acts. By targeting the financial activities that are necessary for the commission of a terrorist offence, the Convention constitutes a valuable part of the overall framework of counter-terrorism treaties.

A matter that the Ad Hoc Committee is still discussing is a draft international convention for the suppression of acts of nuclear terrorism. When it established the Ad Hoc Committee, in 1996, the General Assembly entrusted the Committee with the elaboration of an international convention for the suppression of acts of nuclear terrorism, a task that the Committee began in 1998 immediately upon completion of the terrorist bombings Convention.

The Russian Federation had proposed a convention to combat acts of nuclear terrorism in order to fill the lacunae left by the 1980 Convention on the Physical Protection of Nuclear Materials, which is referred to as the 1980 Convention. The proposal comprises the extension of the definition of nuclear material to include objects and materials for military use, as well as the provision of a clearer definition of

the crime of illegal acquisition of nuclear materials for terrorist purposes and the inclusion of terrorist acts against nuclear power plants, vessels with nuclear power sources and the use of automatic nuclear devices. In that regard, the new convention would cover to the broadest extent the possible targets, forms and manifestations of acts of nuclear terrorism. Furthermore, unlike the 1980 Convention, the proposed convention would draw a distinction between acts of nuclear terrorism and other criminal acts involving the use of nuclear material by referring to the purpose of such acts. Further details with respect to the draft appear in the briefing note.

Negotiations to finalize the draft international convention for the suppression of acts of nuclear terrorism, as proposed by the "Friends of the Chairman", have been stalled due to the concern by some delegations about certain provisions, most notably its scope of application. One particular concern is the inclusion of draft article 4, which excludes the activities of the armed forces of a State from the scope of the draft convention. Divergent views were also expressed on extending the scope of the draft convention to cover acts of State terrorism and on the inclusion of provisions dealing with the dumping of radioactive waste.

Since October 1998 repeated attempts have been made, so far without success, to find a compromise that would allow the adoption of the draft convention without a vote. The draft resolution on the measures to eliminate international terrorism recently adopted by the Sixth Committee once again entrusts the Ad Hoc Committee with attempting to complete the instrument. That brings me to the mandate of the Ad Hoc Committee.

In resolution 54/110, the Assembly renewed the mandate of the Ad Hoc Committee, entrusting it with, in addition to finalizing the draft convention for the suppression of acts of nuclear terrorism, addressing the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, and to begin consideration of, with a view to the elaboration of, a comprehensive convention on international terrorism.

With regard to the question of convening a high-level conference on terrorism, the Ad Hoc Committee held discussions on the matter in February this year. Some delegations expressed support for holding such a conference, which could, inter alia, focus on concrete measures to strengthen the existing framework of international cooperation; focus on preventive measures such as the promotion of cooperation among the law-enforcement authorities of States; elaborate a definition of terrorism, and so forth. On the other hand, other delegations had doubts about the practical benefits of holding a conference on terrorism and the likelihood of concrete results arising therefrom. The Ad Hoc Committee, as a result of its deliberations at its fourth session, formulated no recommendation on the matter. The views of delegations were repeated during the recent consideration in the Sixth Committee of the item entitled "Measures to eliminate international terrorism". Bilateral consultations on the issue continue.

A Working Group of the Sixth Committee embarked on the elaboration of a comprehensive convention on international terrorism from 25 September to 6 October 2000. The basis for the negotiations was a draft text prepared by India, and the progress made is reflected in the report of the Working Group.

During the recent consideration of the item in the Sixth Committee, delegations expressed support for the work begun. Some delegations were of the view that the instrument should be truly comprehensive in scope, containing a definition of terrorism that clearly distinguishes between terrorist acts and the legitimate struggle of peoples for national liberation from colonial and other forms of alien domination and foreign occupation, as well as covering all aspects of the problem, including State terrorism and certain activities of armed forces. Other delegations, however, were of the view that the future convention should complement and complete the existing sectoral anti-terrorism conventions rather than replace them.

The draft resolution adopted by the Sixth Committee on the item, which is scheduled for consideration by the General Assembly on 12 December 2000, renews the mandate of the Ad Hoc Committee. It is proposed that the Committee should meet from 12 to 23 February 2001, in order to continue the elaboration of a draft comprehensive convention against international terrorism, but also to consider the outstanding issues on the draft international convention for the suppression of acts of nuclear terrorism and to

keep on its agenda the question of convening a high-level conference on terrorism.

In this context, I should like to draw the attention of the members of the Council to the 2000 United Nations Convention against Transnational Organized Crime, even if that Convention does not focus expressly on terrorism. That Convention was adopted by the General Assembly on 15 November 2000. The Convention will be opened for signature at the High-level Political Signing Conference to be held in Palermo from 12 to 15 December 2000, that is to say, next week.

The Convention focuses on crimes of a financial nature, money-laundering and corruption, and contains extensive provisions on international cooperation. Of particular interest in this context is that the General Assembly, in its resolution adopting the Convention, recommended that

> "the Ad Hoc Committee established by the General Assembly in its resolution 51/210 of 17 December 1996, which is beginning its deliberations with a view to developing a comprehensive convention on international terrorism, pursuant to Assembly resolution 54/110 of 9 December 1999, should take into consideration the provisions of the United Nations Convention against Transnational Organized Crime". (*General Assembly resolution 55/25, para. 7*)

In this context, I would also like to refer to the Vienna Declaration on crime and justice, meeting the challenges of the Twenty-first Century, endorsed by the General Assembly on Monday, 4 December. In that Declaration, which is an outflow of the Tenth United Nations Congress on the prevention of crime and the treatment of offenders held in Vienna 2000, there is a passage that reads as follows:

> "We note that acts of violence and terrorism continue to be of grave concern. In conformity with the Charter of the United Nations and taking into account all the relevant General Assembly resolutions, we shall together, in conjunction with our other efforts to prevent and to combat terrorism, take effective, resolute and speedy measures with respect to preventing and combating criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations. With this in view, we undertake to do our utmost to foster universal adherence to the international instruments concerned with the fight against terrorism." (*resolution 55/59, annex, para. 19*)

Allow me now to focus towards the end of my intervention on the role of the United Nations Secretariat.

Paragraph 10 of the 1994 Declaration on Measures to Eliminate International Terrorism called upon the Secretary-General to assist in its implementation by taking a series of practical measures.

The principal means of doing so has been an annual report by the Secretary-General to the General Assembly on the topic, containing data on the status and the implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, as well as information on relevant incidents and criminal prosecutions. Pursuant to the Declaration, the material contained in the report is based on information received from the depositaries of the respective anti-terrorism conventions and from Member States. In the future, a specific reference will be made to operative paragraph 5 in Security Council resolution 1269 (1999) of 19 October 1999, to which I referred a few moments ago. The purpose is, of course, that Member States submitting information for the report of the Secretary-General may pay special attention to the terms of this resolution by the Security Council.

An analytical review of relevant existing international legal instruments was included in the 1996 report of the Secretary-General, and the General Assembly has taken action on some of the observations and conclusions contained in that review. It should be noted that there are currently 19 global or regional treaties pertaining to international terrorism. The Secretary-General presented their status with respect to signature, ratification, accession or succession to the General Assembly in a report (A/55/179) on 26 July 2000.

Another measure entrusted to the Secretary-General by the Declaration was the preparation of a compendium of national laws and regulations regarding the prevention and suppression of international terrorism. Since the Declaration was adopted, the Secretariat has been compiling the pertinent information submitted by States. The Secretariat has

received information from 50 States. The respective volume of the Legislative Series is currently being prepared and should be finalized before the end of the year.

The Office of Legal Affairs has also prepared a compilation of the global and regional conventions on international terrorism, which will be submitted for publication by the end of the year.

An important contribution to combating international terrorism is also made by the United Nations Office for Drug Control and Crime Prevention (ODCCP) in Vienna. The Terrorism Prevention Branch at ODCCP came into existence in mid-April 1999 and is linked to the Centre for International Crime Prevention. Its mandate derives from General Assembly resolution 52/220 of 22 December 1997, which endorsed the proposal of the Secretary-General to strengthen the capacity of the newly created Centre.

The Branch has, in the field of preventing and combating terrorism, a division of labour with the Office of Legal Affairs. While the Office of Legal Affairs focuses mainly on legal and normative matters, including Conventions and Protocols against Terrorism, the Branch concentrates more on research and technical cooperation. In the field of technical cooperation several manuals are planned, with titles such as: Assisting Victims of Terrorism: A Manual for Helpers; Responsible Media Coverage of Terrorism: A Guide for Journalists and Law Enforcement Officers; Bomb Threat Analysis and Response; and Hostage Situations and Rescue Operations.

The Terrorism Prevention Branch organized a meeting on "Terrorism Victimization: Prevention, Control, and Recovery", on 12 April 2000, during the Tenth United Nations Congress on Crime Prevention and the Treatment of Offenders, in Vienna, and, together with the International Scientific and Professional Advisory Council (ISPAC) of the United Nations Crime Prevention and Criminal Justice Programme, an international conference on "Countering Terrorism through Enhanced International Cooperation", in Courmayeur, Italy, in September 2000. I had the privilege of participating in that conference myself.

Furthermore, reports have been written on the role of terrorism in the Chechen crisis and the Kosovo crisis. United Nations Member States have been approached with a questionnaire on "Best Practices" and "Lessons Learned" in the field of combating terrorism. Two major databases, on terrorist incidents and counter-terrorist measures respectively, are maintained and updated on a daily basis. A "Toolbox of Counter-terrorism Measures" is being developed, and a "Roster of Experts" has been created by the Branch. Results of these efforts will be incorporated in a biennial "Global Terrorism Survey", the first edition of which is scheduled for late 2001.

With permission, I should now like to sum up with a few concluding remarks.

The effectiveness of any legal regime in the international field is limited by the amount of support it attains. In the case of the conventions against international terrorism, this support can be measured by the number of signatures and ratifications of the relevant international instruments, as well as the development and promotion of national laws to implement them. The most recent report of the Secretary-General on measures to eliminate international terrorism lists global or regional treaties pertaining to the subject. The latest list includes recent regional agreements by the League of Arab States, the Organization of the Islamic Conference and the Commonwealth of Independent States.

During the Millennium Summit, both the terrorist bombings Convention and the International Convention for the Suppression of the Financing of Terrorism received additional signatures and ratifications that constitute a renewed commitment from the international community to unite around the common goal of putting an end to the scourge of international terrorism.

The fight against terrorism requires better international cooperation. However, there are several obstacles standing in the way of enhanced international cooperation. The definition problem, the political element, the links between terrorist groups and organized crime groups and the perceived relationship between religion and terrorism in some parts of the world make terrorism a difficult issue to handle. One can only express the hope that practical cooperation is extended whenever possible, and that States realize that cooperation is indispensable if they are to succeed in countering terrorism and eliminating this cowardly form of indiscriminate violence against innocent people for purposes of propaganda, blackmail or intimidation.

I stand ready to answer any questions that members of the Council may wish to put to me. I thank you for your attention.

The President (*spoke in Russian*): I thank Mr. Corell for his detailed briefing.

Mr. Grainger (United Kingdom): My delegation is very grateful to the Legal Counsel for his briefing and for the very thorough briefing notes which he circulated previously. We commend the continuing efforts of the Organization, through the efforts of the Security Council, the General Assembly and the Secretariat, to address the threat of international terrorism.

Terrorists continue to kill, injure and intimidate innocent people around the world. Terrorist acts not only constitute a challenge to the authority of those States on whose territory they are committed, but in a number of cases also constitute a threat to international peace and security. That link has been recognized by the Security Council, including in resolution 1269 (1999), adopted under your presidency, Sir, October 1999. It is therefore vital that the United Nations continue to act resolutely in response to this threat and to sent a strong message that the international community will not tolerate the use of terrorist methods.

The United Kingdom fully supports the measures taken by the Organization to address terrorist threats, including, in appropriate cases, the imposition of measures by the Council against those who fail to bring to justice those responsible for terrorist acts.

The United Kingdom commends the latest United Nations conventions, to which Mr. Corell referred today: the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. We urge States which have not signed them, or other conventions aimed at combating terrorism, to do so at the earliest opportunity. The United Kingdom expects to ratify both of these conventions early next year.

The United Kingdom also supports the work proposed by India to draft a comprehensive convention on terrorism and the ongoing efforts to complete a draft international convention for the suppression of acts of nuclear terrorism, which was proposed by your own delegation, Mr. President. We hope that both of those proposals can be brought to completion as soon as possible.

The United Kingdom knows only too well the grim effects of terrorism, the need to be resolute in condemning it and the importance of finding practical ways to combat the continuing threats it represents. We are determined to continue our support of international efforts to fight terrorism, while upholding the United Nations Charter and other rules of international law, including those principles that defend human rights.

Mr. Listre (Argentina) (*spoke in Spanish*): I thank Mr. Hans Corell for his briefing. I wish also to thank the Russian Federation for its proposal to devote today's meeting to consideration of the implementation of resolution 1269 (1999), adopted more than a year ago. That resolution unequivocally condemned all acts, methods and practices of terrorism as criminal and unjustifiable. Its adoption was the culmination of a process of evolution in the treatment of terrorism by the Security Council, which long refrained from tackling the question of terrorist practices in an appropriate manner. Early in the 1990s, as a result of changes in the international situation, we saw the adoption of the first decisions viewing such practices as a threat to international peace and security.

The adoption of resolution 1269 (1999) also marked the conclusion of a process of clarifying the Security Council's competence in this sphere. Above and beyond the fact that these are unjustifiable crimes, irrespective of their motivation, it is undeniable today that certain terrorist acts pose a direct threat to international peace and security, which means that the Council may consider them and adopt measures on them. The Security Council's adoption of such measures, combined with the endeavours of other United Nations organs in this field, contributes to the Organization's fight against terrorism.

Argentina has always been well aware of the urgent need for the Council to address this matter, because my country was the victim of two grave terrorist attacks, the first in 1992 against the Israeli Embassy in Buenos Aires and the second in 1994 against my country's main Jewish organization, the Asociación Mutual Israelita Argentina. Speaking before the Security Council, my delegation indicated that it had turned to the Council after that attack, although the Council agreed to consider it only in an informal meeting. We said at the time that we were

convinced that the fight against terrorism had to be as intense as the fight against other serious crimes; we called for such an item to be included on the Council agenda. We are therefore grateful to the Russian Federation for its 1999 initiative and for its constant concern with respect to dealing with this crime.

It is disturbing to note the increasingly close relationship between terrorism and new forms of organized crime, drug trafficking and other criminal activities; this poses a growing threat to world peace because it uses state-of-the-art technology and crosses State borders to become a global problem. We welcome the recent adoption of the Convention against Transnational Organized Crime and its two protocols, and look forward to the adoption of a third draft protocol. Argentina worked actively for the adoption of those instruments and expresses its great satisfaction at this recent advance in the fight against international organized crime.

The international community has responded firmly to terrorism by formulating conventions to prosecute and punish its specific manifestations. Those instruments address the problem pragmatically and effectively. We hope that it will very soon be possible to overcome remaining difficulties in the negotiation of a draft international convention for the suppression of acts of nuclear terrorism, which was proposed by the Russian Federation. We will lend our full support to the achievement of a positive result. We urge all States to accede to these conventions and to play an active part in their implementation. We are also grateful to India for introducing a draft comprehensive convention on terrorism, which the General Assembly has begun to study carefully; the advanced thinking behind it has aroused great interest.

Terrorism is an unjustifiable crime. Some terrorist acts indeed pose a threat to international peace and security and therefore, in accordance with the Charter, fall within the competence of the Security Council. My country believes that the Council must continue to be involved in addressing this problem by strengthening the practical implementation of international law. We reaffirm our gratitude for the convening of today's meeting, and believe that, like last year's meeting, it will reiterate the unambiguous political message that we must send in respect of this crime.

The President (*spoke in Russian*): I thank the representative of Argentina for the kind words he addressed to my country.

Mr. Ben Mustapha (Tunisia) (*spoke in French*): I wish first of all, Mr. President, to thank you and your delegation for the initiative to include the question of international terrorism on the December agenda of the Security Council. I wish also to thank Mr. Hans Corell for his comprehensive briefing on the roles of United Nations organs in the fight against that scourge.

We are witnessing today the emergence of new transborder threats in the face of which the international community remains relatively powerless. With its dangerous and constantly evolving methods and its growing links to drug and arms trafficking and money-laundering, terrorism has become one of the major scourges of our day, as it obstructs the economic and social development of countries and destabilizes international peace and security.

Because no country in the world has any guarantee that it will be spared this scourge, the international community's response must be joint, coordinated and comprehensive. Because of its universality, the United Nations is an ideal framework in this respect. The Security Council, given its responsibility for the maintenance of international peace and security, must be able to identify those situations involving acts of terrorism which represent threats to international peace and security and react firmly, as has been the case on a number of occasions.

The Council, which took a stand on this question as early as 1970, has since then adopted several resolutions that have addressed fields as varied as the hijacking of aircraft, the taking of hostages, illicit acts against the safety of civil aviation, and kidnappings.

For its part, the General Assembly has a pivotal role in the elaboration of appropriate and effective legal instruments in the fight against terrorism. Thus in 1994 it adopted the Declaration on Measures to Eliminate International Terrorism, supplemented by a second Declaration condemning all acts and practices of terrorism, regardless of political, philosophical, ideological, ethnic or religious considerations.

These Declarations were subsequently consolidated through a whole arsenal of sectoral or special conventions addressing specific areas. Out of three recent drafts, two were successful. Thus the

Convention on the Suppression of Terrorist Bombings and the Convention for the Suppression of the Financing of Terrorism were adopted in 1997 and 1999, respectively. Tunisia, which is gratified at these important achievements, hopes that the draft on the suppression of acts of nuclear terrorism will meet with the same success, on the basis of a consensus.

My delegation believes, however, that in order to achieve that objective, it will be necessary to take into consideration the concerns of all the parties, inter alia, those expressed by the Non-Aligned Movement.

The elaboration of a comprehensive draft convention on terrorism as well as the convening, under the auspices of the United Nations, of a high-level conference will represent a good opportunity to further strengthen the dialogue in the fight against international terrorism and will send a strong signal of our collective determination to combat all acts of terrorism in all its forms.

In this framework, Tunisia fully supports the position adopted in the Durban Declaration by the Non-Aligned Movement, and we emphasize the need for international cooperation to combat terrorism, in accordance with the principles of the Charter of the United Nations, international law and the relevant international conventions. It is therefore vital that these international norms be respectful of the sovereignty and territorial integrity of States.

The role of the United Nations Secretariat is of equal importance. We are awaiting with great interest the publication of documents that will provide a compilation of national laws and regulations concerning the prevention of, and the fight against, international terrorism, as well as a compilation of related regional conventions.

The elaboration of international instruments is not the only area of joint effort. States and international organizations must also cooperate in implementing these texts in the broadest possible way. Tunisia believes that the fact that it has signed a large number of international legal instruments in the fight against terrorism and its accession to various Arab, Islamic, African and Mediterranean regional initiatives reflect its firm resolve to make a significant contribution to the efforts of the international community to confront this scourge.

Aware that individual action cannot suffice in this field, Tunisia has developed a close and fruitful cooperation with other States at the regional and bilateral levels, based on a continuing exchange of expertise and information with our partners.

While Tunisia categorically and unreservedly condemns terrorism in all its forms and manifestations, my delegation wishes to take this opportunity to recall the Declaration published on the occasion of the fiftieth anniversary of the United Nations and to emphasize our deep commitment to the need to distinguish between terrorism and the legitimate struggle of peoples subjected to occupation, whose goal it is to achieve their inalienable right to self-determination.

The President (*spoke in Russian*): I thank the representative of Tunisia for the kind words he addressed to me.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation is very grateful to the Under-Secretary-General and to the Legal Counsel, Mr. Hans Corell, for his briefing just now, which has provided us with some very helpful information on United Nations activities in combating international terrorism.

Acts of terrorism represent an enormous threat to international peace and security. That threat is looming even larger in view of terrorism's increasingly transborder nature and its growing use of high-technology methods. The Chinese delegation has always opposed and condemned terrorism in all its forms and manifestations, by any state, organization, group or individual, irrespective of motive.

We would like to express our appreciation for the progress that the United Nations has made in the last 10 years in promoting international cooperation and elaborating legal instruments in the fight against terrorism. Resolution 1269 (1999), adopted last year, has already become a very important guideline for the Security Council in addressing the question of international terrorism.

On the other hand, we also believe that in our approach to individual terrorist activities, the Security Council should endeavour to avoid or minimize resort to sanctions, because sometimes sanctions, while failing to satisfactorily resolve the problem, can bring about very serious humanitarian consequences.

Since 1994, when the General Assembly adopted the Declaration on Measures to Eliminate International

Terrorism, anti-terrorist legislation in the United Nations system has registered considerable progress. In 1996, the General Assembly adopted the Declaration to Supplement the 1994 Declaration and established the Ad Hoc Committee to strengthen legal measures to combat terrorism. In the four years since then, the Committee's efforts have led to the adoption of the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism, and we have reached consensus on most of the text of the draft international convention for the suppression of acts of nuclear terrorism. This year the Ad Hoc Committee began work on formulating a comprehensive convention on international terrorism. All of these efforts will contribute to the further implementation and consolidation of the existing anti-terrorist legal system.

China has already acceded to all international anti-terrorism Conventions that are in force.

Cooperation between the Chinese Government and other States to combat terrorism has been increasing day by day. In July this year China, together with Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan, issued the Dushanbe Declaration within the framework of the Shanghai Five, in which those countries reaffirmed their determination to jointly combat acts of terrorism, which constitute a major threat to regional security, stability and development. They also committed themselves never to allow their territories to be used for activities aimed at harming State sovereignty, security and social order in any of the five countries. We believe that this regional mechanism of international cooperation will play a very positive role in combating international terrorism.

Mr. Ahmed (Bangladesh): Mr. President, let me start by conveying our heartiest congratulations to you on your assumption of the Council presidency. I would also like to pay tribute to Ambassador van Walsum for his distinguished leadership of the Council in November.

We appreciate the comprehensive briefing given by the Legal Counsel, Mr. Hans Corell, on the work done by the Security Council, the General Assembly and the Secretariat on international terrorism. The comprehensive briefing note provided by him in advance has been very useful.

It is indeed a timely initiative to take up the question of follow-up to resolution 1269 (1999), on international terrorism in the context of Council responsibility, a year after its adoption. Information on progress in different areas, as required in paragraphs 2, 3 and 4 of that resolution is, as we expected, found in the latest report of the Secretary-General, contained in document A/55/179 of 26 July and its addendum of 9 October. The scope of our deliberations is therefore somewhat delineated by the debate in the Sixth Committee, which had the report of the Secretary-General before it. Our purpose here is also to express support for the work of other organs of the United Nations, Member States and regional and international organizations.

In the context of the Council's responsibility in the matter, we shall briefly comment on the follow-up of some of the provisions of resolution 1269 (1999).

Let us first take up paragraph 2. Three things are required of all States: full implementation of international anti-terrorist conventions to which they are parties, adhering to remaining conventions and speedy adoption of the pending conventions.

It is encouraging to note the increase in the number of States parties to the anti-terrorism conventions. The Government of Bangladesh is now engaged in examining the relevant international instruments with a view to early signature, ratification and accession, as the case may be. Simultaneously, we are undertaking an examination of the need for and forms of implementing domestic legislation.

We recognize some progress in the adoption of pending instruments since adoption of the resolution. The General Assembly adopted the International Convention for the Suppression of the Financing of Terrorism on 9 December 1999. The United Nations Convention against Transnational Organized Crime was adopted on 15 November 2000. Bangladesh expects to sign that Convention at an early date, upon completion of the examination process by the Government.

Two draft conventions have been under negotiation in the General Assembly's Ad Hoc Committee. The initiative taken by the Russian Federation in proposing the draft convention on the suppression of acts of nuclear terrorism has been highly appreciated. Mr. Corell's briefing has provided an update and a very pertinent analysis of the state of

negotiations. We regret the impasse over the questions of activities of national armed forces, State terrorism and dumping of radioactive waste.

Bangladesh has welcomed the initiative taken by India in preparing a draft comprehensive convention. There is a need for an overarching instrument to provide a possible basis for global consensus for dealing with terrorism and underpinning effective international cooperation. We have also expressed support for holding an international conference and hope the Ad Hoc Committee will be able to agree on the agenda of the conference when it meets next February.

We welcome the progress made over the year in strengthening international cooperation, as called for in paragraph 3 of resolution 1269 (1999). We appreciate the initiative taken by the Secretariat.

Paragraph 4 requires a series of measures by all States, ranging from prevention and suppression of terrorist acts and prosecution or extradition to refusal of asylum to terrorists and exchange of information. A more substantive and regular review of the implementation of these and other provisions of the resolution could be undertaken on the basis of a report from the Secretariat.

We have noted that the Secretariat intends to make specific mention of paragraph 5 of the Council's resolution in the future reports of the Secretary-General on the subject. For a regular follow-up by the Council in the areas under its responsibility, we wonder whether it would be a good idea to have the report of the Secretary-General issued as a document of both the General Assembly and the Security Council in view of the implications of terrorism for international peace and security recognized by the Council in the resolution.

Let me conclude by reiterating that, as a matter of principle, Bangladesh condemns all acts of terrorism, irrespective of motive, wherever and by whomever committed, as they violate the norms of international law, respect for international humanitarian law and human rights and affect international peace and security. We shall continue to contribute to the efforts aimed at combating international terrorism in all its forms.

The President (*spoke in Russian*): I thank the representative of Bangladesh for his kind words addressed to me.

Mr. van Walsum (Netherlands): We join other delegations in thanking the Russian presidency for its initiative to discuss in the Council measures to eliminate international terrorism. We also thank the Legal Counsel, Mr. Hans Corell, for his comprehensive briefing on the significant developments in international law that have occurred over the past few years.

In this connection, an important contribution was made by the Security Council during the previous Russian presidency, when it adopted resolution 1269 (1999), in which it unequivocally condemned all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security.

It is our view that the General Assembly must remain the principal United Nations platform for initiating efforts to combat international terrorism. The 12 United Nations terrorism conventions elaborated in the General Assembly represent a major achievement of that body. On the other hand, the Security Council has its role to play in special cases. The Security Council's involvement in the Lockerbie affair is a case in point.

The Netherlands is currently in the process of ratifying the last two of the 12 United Nations terrorism conventions: the Convention for the Suppression of Terrorist Bombings and the Convention for the Suppression of the Financing of Terrorism.

The sectoral approach in negotiating terrorism conventions has proved to be an effective track to achieving a legal framework. The Indian draft comprehensive convention that is currently under consideration in the Sixth Committee should, in our view, complement rather than replace the existing instruments so as to ensure that every single act of terrorism is adequately criminalized.

The existing Conventions have already attracted a large number of signatories and ratifications, and this possible new instrument should therefore not imperil the support these Conventions have already obtained.

International legal instruments alone do not suffice. Enhanced cooperation among States, both at the United Nations level and regionally, is essential for effective combating of terrorism.

The Netherlands continues to stand ready to fight terrorists. We acknowledge that the struggle against increasingly sophisticated terrorists may require increasingly harsher means. We wish to reiterate, however, that in cases where official use of violence is necessary, the response must be proportionate and limited to the requirements of the maintenance of public order. States have a special responsibility to observe international humanitarian and human rights law.

The President (*spoke in Russian*): I thank the representative of the Netherlands for the kind words he addressed to my delegation.

Mr. Ward (Jamaica): The issue of terrorism demands our attention, and for that reason we thank you, Mr. President, for convening this debate. We thank Mr. Hans Corell for his briefing, which enumerated the actions taken to combat terrorism and detailed further action needed by the international community in this regard.

Jamaica welcomes this opportunity to discuss the issue of terrorism, which continues to pose a serious threat to international peace and security. We therefore wish to express our appreciation for the initiative to hold this debate.

The fight against terrorism has intensified significantly since the General Assembly first considered the issue in 1972. Since that time, numerous lives have been lost as a result of indiscriminate terrorist attacks on civilian populations. It is regrettable that despite the efforts of the international community over the past 10 years, the world is witnessing even more serious manifestations of terrorism, as terrorists are increasingly resorting to inhumane actions that are designed to result in a maximum number of casualties and damage to property.

Terrorism poses a serious threat to the peace and stability of nations and to the security and well-being of their citizens, and it therefore requires a serious response by the international community. The indiscriminate death and injury and the damage to essential services and infrastructure that result from terrorist acts demand that we support practical efforts aimed at addressing the causes and sources of terrorism. The international community must act to create disincentives for those who support terrorism.

Jamaica condemns all acts of terrorism, and we believe that the most effective response to these acts continues to be full cooperation at the international level. It is in this context that the development of a more comprehensive legal framework to combat terrorism becomes a key factor in developing an organized response to this scourge. In this regard, it also remains a matter of primary importance that States strive to ensure that those responsible for terrorist acts are brought to justice.

We welcome the work done by the General Assembly to elaborate the convention on measures to eliminate international terrorism. We hope that the elaboration of a comprehensive convention on international terrorism, which will complement the existing network of various crime-specific counter-terrorism treaties, will also be concluded in good time. These legal instruments create the foundation for addressing terrorism through appropriate cooperation and information exchange.

The challenges presented by terrorism have been compounded by globalization and the revolution in communications technology. Terrorism has thus become intricately intertwined with transnational organized crime, which manifests itself in several forms of criminal activity, including illicit narcotics production and trafficking, money-laundering and illegal arms transfers. In any consideration of terrorism, focus must be placed concurrently on efforts to counter the trafficking in small arms, which undoubtedly contributes to the spread and escalation of terrorism. The international community is therefore faced with new challenges in its fight against terrorism and must develop comprehensive strategies and take all appropriate action in an expeditious and effective manner to address new and more complex manifestations of terrorism.

It is in this context that today's debate provides us an opportunity to examine new and innovative strategies and to consider the Council's role in developing systematic and comprehensive approaches that complement those already being undertaken at the international level. Though much progress has been made, much remains to be done by the Council in

fulfilling its role to counter threats to international peace precipitated by terrorism.

The Security Council has adopted several resolutions and issued a number of presidential statements addressing the issue of terrorism. Every effort must be made to ensure that the Council's rhetoric is followed by effective action to counter terrorist activities. By adopting resolution 1269 (1999) the Council signalled its intention to increase its efforts to counter terrorist threats to international peace and security. While the General Assembly has the primary role in defining the juridical framework and principles for addressing terrorism, the Security Council has an important role to play in complementing and contributing to the collective efforts to counter the threat of terrorism.

It is in this regard that the Council's resolutions, including resolution 635 (1989) on illegal acts against the security of civil aviation and its statement of 31 January 1992, which highlighted the importance of collective action against terrorism, continue to serve as important and effective complements to efforts aimed at addressing this scourge.

Today's debate undoubtedly serves as an important opportunity for the Council to reaffirm its condemnation of terrorism and to reiterate its call on all States to ensure that they do not engage in activities aimed at assisting, supporting or facilitating terrorist activities or at harbouring terrorist organizations or groups. In this respect, we wish to recall the resolutions of the Security Council which call on all States to refuse assistance to terrorist organizations. Those States acting in contravention of these resolutions are themselves contributing to the scourge of terrorism. Our deliberations today must be seen as another step in expressing the Council's readiness to take necessary steps, in accordance with its responsibilities under the Charter, to counter terrorist threats and to put pressure on those who would seek, whether directly or indirectly, to acquiesce in, encourage or tolerate those terrorist acts.

The President (*spoke in Russian*): I thank the representative of Jamaica for his kind words addressed to me.

Mr. Heinbecker (Canada)(*spoke in French*): We would like to thank the Russian presidency for providing us with the opportunity to continue the debate begun last year on international terrorism. We would also like to thank Mr. Hans Corell for his presentation, which was both incisive and comprehensive.

Terrorism is an ever-present threat to international peace and security. In addition, it represents a threat to human security, for the victims of terrorism are primarily innocent civilians. That is why this problem deserves inclusion in the expanded definition of security, which the Security Council is now developing.

(*spoke in English*)

As we are all too aware, terrorism knows no international boundaries. Its perpetrators recognize neither the rule of law nor international norms of humanity or decency. They care not at all what suffering they wreak among the innocent, often for the sake of political statements whose significance is apparent only to themselves.

There is no justification for terrorism, and there can be no concessions made to those who commit terrorist acts. The presidential statement that we will adopt today, just like the draft resolution of the Sixth Committee on elimination of international terrorism, is perfectly clear on this point. Terrorism is never justifiable, for whatever purpose committed and by whomsoever it is committed.

In various regional and multilateral forums, including the General Assembly, we have agreed on important principles in the fight against terrorism. These include the denial of support and sanctuary for terrorists, the establishment of an ever-widening network of international conventions against terrorism and international cooperation and coordination at the policy and operational levels as well.

No state is immune from the threat of terrorism or from the threat that its territory could be used to support terrorist activity elsewhere. For these reasons, international cooperation is essential in the fight against terrorism, as noted by Mr. Corell. The conclusion of negotiations over a year ago on the International Convention for the Suppression of the Financing of Terrorism now brings to 12 the number of international counter-terrorism instruments at the disposal of the international community. Canada has signed all 12 of these instruments and ratified 11; we are in the process of ratifying the twelfth. These conventions, along with the

ongoing negotiations on other instruments, such as the Indian draft comprehensive convention to combat international terrorism, constitute a sound legal framework to combat terrorism wherever it arises in the world.

The multiplicity of international efforts to fight terrorism reflects the importance that the international community attaches to this issue. Our citizens expect no less. They also expect that strong action against terrorism will be consistent with broader commitments to human rights and the rule of law. By respecting these principles, the institutions entrusted to fight terrorism will attract public support and deny terrorists the sympathy and the support they need.

For its part, the Security Council has and must continue to play a key role in the fight against terrorism. It has responded robustly to specific cases of terrorism, whether it be the Lockerbie case or the assassination attempt on President Mubarak of Egypt. It has also imposed sanctions against those who harbour or support terrorism, as in the case of the Taliban and Usama bin Laden. These actions, while showing that there can be no impunity for terrorism, can also serve as a deterrent to future terrorist acts.

(*spoke in French*)

The fight against terrorism has many aspects. It must be part of a broader framework that will address not the immediate threat alone, but also the underlying factors supporting terrorism. There is, in particular, a need to cooperate on the implementation of laws while tackling issues of human rights, democratic development, good governance and socio-economic problems. It is in the context of such a comprehensive approach to the problem that we will be able to find viable and enduring solutions to terrorism.

The President (*spoke in Russian*): I thank the representative of Canada for his kind words addressed to my delegation.

Mr. Hasmy (Malaysia): My delegation welcomes the convening of this meeting, which provides the Council with an opportunity to continue its consideration of the threat to international peace and security posed by international terrorism, which was first addressed by the Council way back in 1992. We recall that, following the important initiative taken by you, Sir, and your delegation, during your presidency of the Council in October last year, we had a very useful debate, culminating in the unanimous adoption of a landmark resolution pertaining to the question of international terrorism, namely, resolution 1269 (1999) of 19 October 1999.

We are also grateful to Under-Secretary-General Hans Corell, the United Nations Legal Counsel, for his useful briefing on the subject and his comprehensive briefing paper. Clearly, important efforts have already been or are being made by the United Nations in developing relevant international legal instruments to combat and suppress the terrorist menace. We commend the efforts of the Secretary-General in facilitating the work of the relevant United Nations organs, as outlined by the Legal Counsel.

My delegation has clearly put forward its position on international terrorism during the Council's debate on the issue in October last year and during the ongoing discussions in the General Assembly and the relevant Committees. I do not intend to repeat Malaysia's position beyond reiterating three main principles.

First, Malaysia is against terrorism in all its forms and manifestations. We condemn all acts, methods and practices of terrorism as unjustifiable criminal acts, regardless of the motivation of their perpetrators, when innocent civilians are deliberately targeted as victims. Terrorism should be condemned wherever it rears its ugly head and whether committed by individuals, groups of individuals or state authorities; the latter, with better means at their disposal, can sometimes be more devastating and destructive to civil society. In taking security measures, States must be guided by the principle of proportionate response and not cross the threshold beyond which such security measures may descend to the level of terrorism, which we all abhor. Whenever such excessive use of force by the State occurs, resulting in massive loss of life and injury to the civilian population, it must be roundly condemned, as we do with respect to other forms of terrorism.

Secondly, there should be a clear and universally agreed definition of terrorism so that it can be differentiated from the legitimate struggles of peoples under colonial or alien domination and foreign occupation for self-determination and national liberation, as recognized by the relevant resolutions and declarations that have been adopted by the United Nations. However, this does not justify the use of

terrorist methods by any group against the unarmed civilian population.

Thirdly, the international community must deal with the terrorist menace with the severity it deserves in a well-coordinated global strategy that should be carried out in a fair, objective and non-selective manner and without politicizing the issue.

The fight against international terrorism is a global effort involving States Members of this Organization and other international and regional organizations. The Non-Aligned Movement, in the Durban Declaration of 1998, clearly enunciated its position on the need to promote international cooperation in combating terrorism, which, inter alia, should be pursued in accordance with the principles of international law and respect for the sovereignty and territorial integrity of States. The Organization of the Islamic Conference (OIC) has also taken its own initiative on this matter through its resolution 59/26-P on the follow-up of the Code of Conduct For Combating International Terrorism and the Convention of the OIC on Combating International Terrorism, as contained in document S/1999/1204 of 29 November 1999. The Legal Counsel has alluded to the OIC initiative in his briefing paper. Malaysia, as a member of the two organizations, fully subscribes to these positions.

Over the past four years, the General Assembly's Ad Hoc Committee, in which we participate actively, has achieved remarkable results in strengthening legal measures against terrorism, particularly with the adoption of the International Convention for the Suppression of Terrorist Bombings in 1997 and the International Convention for the Suppression of the Financing of Terrorism in 1999.

We are pleased to note that the Ad Hoc Committee this year has started its consideration of the Indian-initiated draft comprehensive convention on international terrorism. We are gratified to note, too, that the draft was well received by Member States, although a number of issues have yet to be resolved before it can be adopted. In this regard, we feel that it is imperative that the question of the definition of terrorism be addressed in serious fashion so that an acceptable definition can be included in the draft convention. A universally agreed definition of terrorism is important not only to clear up any ambiguity about the term, but also to facilitate greater and more concrete and coordinated cooperation by States in combating this menace. In this regard, we would urge a truly comprehensive approach in the elaboration of the convention on terrorism in the Sixth Committee.

Malaysia is also seriously concerned by the ever-present danger of nuclear terrorism. We continue to believe that, ultimately, the most effective way of preventing what would be the catastrophic consequences of acts of nuclear terrorism is the total elimination of nuclear weapons; hence, the importance we have attached and continue to attach to nuclear disarmament leading to the ultimate elimination of all nuclear weapons. Notwithstanding this, we commend the Russian Federation for its initiative and look forward to the early completion of the work on the draft convention for the suppression of acts of nuclear terrorism and to its eventual adoption, thereby making the world a little safer, though not entirely safe from the possible use of nuclear weapons. Finally, my delegation fully concurs with the observation made by the Legal Counsel that the fight against terrorism must ultimately be seen in terms of practical cooperation. This, undoubtedly, is a fundamental requirement that should be incorporated into any international legal instrument concerning terrorism in order to establish clear guidelines governing States' cooperation in the fight against terrorism. We should also recognize the important role of regional and subregional organizations in addressing the issue, and encourage and support them in complementing global efforts.

The President (*spoke in Russian*): I thank the representative of Malaysia for his kind words addressed to our delegation.

Ms. Soderberg (United States of America): I commend your leadership, Mr. President, in setting aside today to discuss an issue of enormous important not only to every country represented around the table, but to all the members of the United Nations. I think the briefing we heard from our Legal Counsel, Hans Corell, lays out the challenges before us, as well as the opportunities. I think we should all pause and review our own priorities in dealing with this very difficult but crucial and important issue. My country has certainly been the victim of terrorism, including quite recently at some of our embassies in Africa. We have all been awakened by the shocking news of a sudden terrorist attack on our citizens or a hijacking. I think that taking some time out of our busy schedule to look at how we

can move forward on this problem is a crucial priority. We commend the Russian presidency for doing so.

As resolution 1269 (1999) makes clear, the suppression of acts of terrorism is essential if international peace and security are to be maintained, which is one of the priorities of the Security Council's mission. The suppression of terrorism is crucial to our own mandate to maintain international peace and security.

Mr. Corell has provided us with a crystal-clear analysis of the roles of the Security Council, the General Assembly and the Secretariat, as well as of their respective responsibilities and of the need for continued action by all concerned to cope with the scourge of terrorism. Whether it be the very real threat from groups that provide safe-haven and comfort to those who attack embassies, or other groups that harbour individuals who attack civilian aviation, we must all stand ready to cooperate and make use of the opportunities provided by the United Nations to eliminate the threat of terrorism.

The tools we have to combat terrorism must have the strong support of all members of this body. Our primary tool against terrorism is that of sanctions. We have imposed sanctions against those who have carried out acts of terror and against those who provide haven to terrorists. We must recommit ourselves to supporting such measures and ensuring that Member States follow through on the commitments imposed on them by the Security Council. In addition to this, we have various conventions against terrorism. Those States that have not ratified the existing conventions should consider doing so urgently. Those States that are parties to the conventions must seek to cooperate to give them full force and effect.

Unrelated issues must not be allowed to prevent progress on key conventions. For instance, the work on the draft conventions currently before the Ad Hoc Committee must be carried forward, and not be taken as an opportunity to attempt to resolve issues more properly considered in the First Committee as a kind of *quid pro quo* for agreement on the all-important convention on nuclear terrorism.

No one can justify terrorism. We must all make the fight against terrorism a priority. We welcome the opportunity for us all to be reminded of what has been accomplished, of how our accomplishments must be given effect, and of what remains to be done. Let us all cooperate to eliminate the scourge of terrorism.

The President (*spoke in Russian*): I thank the representative of the United States for her kind words addressed to us.

Mr. Kuchynski (Ukraine): First of all, I would like to thank you, Mr. President, for convening this meeting on the issue of international terrorism, which has become a subject of growing concern to the world community. My delegation also wishes to commend the Russian Federation for the continuous attention it has given to this problem and for its important contribution to the cause of eliminating the scourge of international terrorism. In recent years, your country, Mr. President, has suffered enormously from the most brutal sorts of terrorist attacks directed primarily against innocent civilians. As a result of those attacks hundreds of people have died or received severe injuries. We mourn with you the victims of those barbarous acts and share your pain and indignation.

I would also like thank Under-Secretary-General Hans Corell for his informative briefing and for his comprehensive note on follow-up measures to resolution 1269 (1999).

The increasing attention given by various United Nations bodies, including the Security Council, to the phenomenon of international terrorism is not surprising. During the last decade we have witnessed an unprecedented outbreak of terrorist acts in different parts of the world. No State — be it big or small, rich or poor — can feel safe against the threat of terrorism, which knows no boundaries and makes no distinction between children and military targets or between diplomatic and humanitarian missions. Not only does terrorism cause civilian deaths, it also threatens the territorial integrity and security of States and undermines confidence in relationships between nations, thereby endangering international peace and security. In that connection, I wish to underline the particularly close connection that exists between terrorism and aggressive separatism, ethnic intolerance and religious extremism.

Conflict situations create favourable conditions for the activities of terrorist groups. Of particular concern is the fact that the activities of terrorist organizations are financed through other criminal activities, including arms smuggling and the production of, and trafficking in, drugs. Nowadays, terrorists use

new and more sophisticated means of terror. They have increasingly profited from the benefits of the information revolution. In an era in which there is growing importance of, and dependence on, information and communications systems, there is an increasing risk of the use of computer technologies by potential terrorists to destroy essential infrastructure and undermine the security and well-being of nations and countries.

We are convinced that the intensification of international efforts to combat terrorism needs a more concentrated focus on the underlying causes of this extremely complicated international phenomenon and its deep socio-economic roots and conditions. The roots of terrorism are very similar to those of international conflicts, namely, poverty, inequality and oppression. Their virtual elimination would therefore ultimately be conducive to a decrease in terrorist activity.

I would also like to underscore another important aspect of the concerted efforts by the international community to fight terrorism. Terrorist attacks constitute a clear violation of recognized norms of international law. The main purpose of most of them is to undermine international stability and to provoke another cycle of violence in international or inter-ethnic relations. The international community should not, under any circumstances, give in to such provocations. All actions taken at international, regional or national levels must be in full conformity with the existing rules of international law, including international humanitarian and human rights law, and not run counter to the fundamental principles of the United Nations Charter.

Ukraine has repeatedly condemned, in the strongest possible terms, international terrorism in all its forms and manifestations, no matter what considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature might be invoked to justify terrorist acts. We have consistently supported the concerted efforts of the international community in combating this scourge. My country has ratified most of the instruments of a universal character in this field. Earlier this year, Ukraine signed the International Convention for the Suppression of the Financing of Terrorism. The International Convention for the Suppression of Terrorist Bombings is to be ratified in the near future. We consider adherence to and full implementation of the relevant international instruments by Member States to be an essential contribution to the maintenance of international peace and security. At the same time, we realize that legal instruments alone are not sufficient; there is a need for a strong commitment by States and genuine cooperation between Governments and their law enforcement agencies in fighting terrorism.

My delegation would also like to reaffirm the central role of the General Assembly in addressing the issue of international terrorism. Its work in this area is fully commendable and represents an example of how the efforts of individual States can successfully be pooled to achieve tangible results. We hope that this spirit of cooperation will continue to prevail in the activities of the Assembly, in particular in its work on the draft convention on nuclear terrorism and draft comprehensive anti-terrorism convention. We recognize the important contribution made by the Security Council to the collective efforts to combat terrorism, in particular where it represents a challenge to international peace and security. We underline the need to preserve the established balance of responsibilities between these two bodies, as provided for by the United Nations Charter.

Finally, I wish to also mention the need to further strengthen the capacity of the United Nations in preventing and combating terrorism. As noted by the Legal Counsel, the Terrorism Prevention Branch of the Office for Drug Control and Crime Prevention engages in research activities on terrorism and carries out other important work to promote international cooperation in this field. In this context, the initiative regarding the establishment — after reviewing existing possibilities within the United Nations system — of an international anti-terrorism centre deserves further attention. This initiative was supported during the Millennium Summit by the Presidents of the GUUAM — Georgia, Uzbekistan, Ukraine, Azerbaijan, Moldova — Group of States.

The President (*spoke in Russian*): I thank the representative of Ukraine for his kind words expressed to my country.

Mr. Levitte (France) (*spoke in French*): Allow me to thank the Legal Counsel, Mr. Hans Corell, for his very clear account of the actions undertaken by the United Nations to combat international terrorism.

The French delegation, like many that have already spoken, would like first to reaffirm its absolute

and unconditional condemnation of terrorism in all its forms and manifestations, regardless of the cause invoked or the perpetrators. Terrorist acts always contribute to unravelling the very fabric of society and to jeopardizing the bases of democracy and human rights.

To fight international terrorism we must equip ourselves with instruments for effective cooperation, while respecting human rights and fundamental freedoms, and at the same time combat the political and human tragedies that contribute to instability, which in turn nourishes terrorist groups. In this regard, the United Nations plays a critical role.

The French delegation would like in particular to emphasize the importance of the work being carried out in the General Assembly on measures to eliminate international terrorism. We recall the importance of the various sectoral conventions that have been drawn up in this framework. The entry into force of all these international instruments will be decisive for international cooperation against terrorism. The French delegation calls upon the States that have not yet done so to sign and ratify the Convention on the Suppression of Terrorist Bombings, as well as the Convention on the Suppression of the Financing of Terrorism. The latter Convention, the result of a draft introduced by France, tackles the pivotal issue raised by the question of financing for terrorist groups. It establishes effective means, relying in particular on cooperation from financial institutions. Moreover, we favour the rapid conclusion of the draft convention on the suppression of acts of nuclear terrorism, which would complement the existing conventions in a useful manner.

The significant concrete results achieved within the framework of the United Nations are linked to the chosen approach, which gives pride of place to pragmatism, the search for consensus and a sectoral consideration of problems. We remain dedicated to that approach. We think, however, that the elaboration of a comprehensive convention on international terrorism — as foreseen in General Assembly resolution 54/110, which was based on a draft introduced by India — is desirable. Such a convention, which would not replace the existing sectoral conventions, would make it possible to fill the remaining gaps, while preserving the gains of these conventions.

Beyond the drawing up of legal instruments, international cooperation must be based on an intensive exchange of information. For its part, France is actively participating in the work of Europol, which since 1 July 1999 has been charged with making use of information collected in the fight against terrorism. The French delegation also recalls that the European Union has established in-depth cooperation with other States in order to combat terrorism, in particular within the framework of the Barcelona process, with the coastal countries of the Mediterranean.

As regards the Terrorism Prevention Branch of the Centre for International Crime Prevention, in Vienna, we believe it would be useful to increase information exchanges between it and United Nations Member States. In this context, the French delegation recalls that, to be effective, the fight against terrorism must take into account the specific nature of terrorist acts. In particular, there is a need to distinguish between the fight against terrorism and the fight against organized crime. If there are links between these two phenomena, they must be addressed in different ways.

The 1994 Declaration on Measures to Eliminate International Terrorism, annexed to General Assembly resolution 49/60, and more recently Security Council resolution 1269 (1999) have reaffirmed that terrorist acts could constitute a threat to international peace and security. That threat justifies the Security Council taking a position on the question of terrorism, as in the cases referred to in the Legal Counsel's statement. In so doing, the Council is not acting as a substitute for the General Assembly, which maintains its role of defining the principles guiding the fight against terrorism. To the contrary, in its resolution 1269, the Security Council has endorsed the principles so forcefully put forward by the General Assembly in its 1994 Declaration.

Mrs. Ashipala-Musavyi (Namibia): Let me begin by thank you, Mr. President, for once again holding a meeting on the subject of international terrorism as a follow-up to Security Council resolution 1269 of October 1999, adopted under your presidency. This resolution condemns all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation. In the same vein, let me take this opportunity to extend our appreciation and thanks to the Legal Counsel for his introductory remarks.

We appreciate your country's commitment, Mr. President, to fight terrorism in all its forms and manifestations. As one of the most heinous crimes threatening international peace and security, international terrorism knows no boundaries and is not targeted at any particular region or ethnic group. It is indiscriminate and brings human tragedy of unparalleled magnitude. In a bid to contain terrorism, Governments are forced to impose harsh security measures to stamp out terrorism and to protect their citizens. Terrorists bury themselves within the surrounding community, indistinguishable from ordinary law-abiding citizens, and at the appropriate moment, they emerge from the shadows to strike before disappearing back into anonymity, thus undermining confidence in the Government's ability to maintain law and order by sowing fear among the citizens.

Therefore, the inherent problems of fighting against terrorism warrant cooperation among States. The work being done by the United Nations to combat this scourge are welcome by my delegation. Let me stress, as we have on numerous occasions, that as the Organization continues to work to put in place measures to fight terrorism, a distinction continue to be made between terrorism and the legitimate rights of people under foreign occupation and domination, fighting for their inalienable rights to self-determination and freedom. Namibia supports the 1994 United Nations Declaration on Measures to Eliminate International Terrorism, and we join the community of nations to stand together in relentless pursuit, using all necessary means to combat terrorism in all its manifestations.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

We are grateful to Under-Secretary-General Hans Corell for his substantive report regarding United Nations anti-terrorism efforts. This question has a direct bearing on the Security Council's mandate. Terrorism has become one of the most dangerous threats to international peace and security and a catalyst of conflicts. No single State can allow itself to ignore the problem of terrorism or to seriously expect to resolve it on its own.

In a number of cases, international terrorists have already outstripped the international community's efforts to counteract them and have established a broad network of transborder interaction to implement their unsavoury objectives. Of particular concern is the emergence of a new arc of terrorist activity: the Balkans, the Middle East, the Caucasus, Central Asia and Afghanistan. An adequate rebuff to a danger on such a scale is impossible without the unity of all States, without exception.

The main source of the threat of international terrorism is Afghanistan, which is under the control of the Taliban. Despite the international community's urgent appeals, the Taliban movement is not carrying out the demands by the Security Council that it cease harbouring and training international terrorists and ban the use of territory under Taliban control for the establishment of terrorist camps or the preparation of terrorist acts against other States.

We are witnessing the metastases of this terrorist tumour that is striking States on all continents. During the Millennium Summit and the Millennium Assembly, the President of the Russian Federation, Mr. Vladimir Putin, and the Russian Minister for Foreign Affairs, Igor Ivanov, once again reaffirmed our country's position of principle that in circumstances of growing consolidation of terrorist structures throughout the world, increasing responsibility is being placed on the United Nations to mobilize international potential to counteract terrorism. That work must, *inter* alia, promote the implementation of the principles enshrined in Security Council resolution 1269 (1999); that is, no support or havens must be offered to terrorists and punishment for all terrorist acts must be irreversible.

It is also important to establish an effective system of interaction within United Nations organs in resolving the terrorism problem, particularly within the General Assembly, the Security Council and the Secretariat, which must work together, complementing each other on the basis of their relevant jurisdictions under the Charter, and through cooperation with regional mechanisms.

A very important condition for effective anti-terrorism cooperation among States is the existence of a broad and reliable international legal basis. Like my colleagues have done, I associate myself with the appeals made to all countries to adhere to the existing universal anti-terrorist conventions and to ensure the speedy conclusion of work on the necessary additional instruments designed to fill the existing legal gaps in anti-terrorism cooperation. In that connection, we

attach particular importance to the draft convention to suppress acts of nuclear terrorism and we welcome the start of practical discussion on the draft, submitted by India, of a comprehensive convention on the suppression of international terrorism.

I now resume my function as President of the Security Council.

Since there were no specific questions addressed to Mr. Corell in the discussion, Mr. Corell will not be taking the floor. In conclusion, I would like to thank Mr. Corell for his statement and for his participation in our meeting.

There are no further speakers inscribed on my list. The Security Council will continue its consideration of the item on its agenda immediately following the adjournment of this meeting.

The meeting rose at 12.40 p.m.

United Nations S/PV.4243

Security Council

Fifty-fifth year

Provisional

4243rd meeting

Wednesday, 6 December 2000, 12.40 p.m.

New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Argentina	Mr. Estremé
	Bangladesh	Mr. Amin
	Canada	Mr. Heinbecker
	China	Mr. Su Wei
	France	Mr. Teixeira da Silva
	Jamaica	Mr. Ward
	Malaysia	Mr. Hasmy
	Mali	Mr. Kassé
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. van Walsum
	Tunisia	Mr. Chaouachi
	Ukraine	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland	Mr. Grainger
	United States of America	Mr. Rosenstock

Agenda

The responsibility of the Security Council in the maintenance of international peace and security.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-78334 (E)

The meeting was called to order at 12.40 p.m.

Adoption of the agenda

The agenda was adopted.

The responsibility of the Security Council in the maintenance of international peace and security

The President: The Security Council will now resume its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in the course of its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council takes note with appreciation of the briefing of Under-Secretary-General Mr. Hans Corell regarding follow-up measures to resolution 1269 (1999) of 19 October 1999.

"The Security Council is deeply concerned by the increase, in many regions of the world, of acts of terrorism in all its forms and manifestations. The Council reiterates its condemnation of all acts of terrorism, irrespective of motive, wherever and by whomever committed. It welcomes the efforts of the General Assembly and other organs of the United Nations in the field of combating international terrorism.

"The Security Council calls on all States that have not done so to consider, as a matter of priority, becoming party to the existing anti-terrorism conventions.

"The Security Council reaffirms its resolution 1269 (1999) of 19 October 1999 and calls upon all States to implement its provisions fully and expeditiously.

"The Security Council reiterates its readiness, including on the basis of the relevant reports of the Secretary-General, as provided for in its resolution 1269 (1999) of 19 October 1999, to take necessary steps in accordance with its responsibilities under the Charter of the United Nations in order to counter terrorist threats to international peace and security.

"The Security Council will remain seized of this matter."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2000/38.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.45 p.m.

United Nations S/PV.4244

Security Council

Fifty-fifth year

Provisional

4244th meeting

Wednesday, 6 December 2000, 12.45 p.m.

New York

President:	Mr. Lavrov	(Russian Federation)
Members:	Argentina	Mr. Estremé
	Bangladesh	Mr. Amin
	Canada	Mr. Heinbecker
	China	Mr. Wang Donghua
	France	Mr. Teixeira da Silva
	Jamaica	Mr. Ward
	Malaysia	Mr. Hasmy
	Mali	Mr. Kassé
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. van Walsum
	Tunisia	Mr. Chaouachi
	Ukraine	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Rosenstock

Agenda

The situation in East Timor

Report of the Security Council Mission to East Timor and Indonesia (S/2000/1105).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-78342 (E)

The meeting was called to order at 12.45 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in East Timor

Report of the Security Council Mission to East Timor and Indonesia (S/2000/1105)

The President (*spoke in Russian*): The Security Council is meeting in accordance with the understanding reached in the course of its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council welcomes the report of the Security Council Mission to East Timor and Indonesia (S/2000/1105) of 21 November 2000, and endorses the recommendations that it contains. It notes in particular the view of the Mission that a strong international presence will be required in East Timor after independence, inter alia for the provision of financial, technical and security assistance, and agrees that planning for such a presence should begin as soon as possible. It requests the Secretary-General to report on this matter in his next regular report to the Security Council.

"The Security Council pays tribute to the work of the United Nations Transitional Administration in East Timor (UNTAET). It welcomes in particular the creation of the National Council in East Timor, and stresses the importance of further work on the transition to independence, including a timetable and mechanisms for a constitution and elections. It stresses that urgent consideration should be given to expediting the training of the Timor Lorosae Police Service and to attracting sufficient resources to develop the judicial system. It notes the views of the Special Representative of the Secretary-General on the need to use assessed funding more flexibly.

"The Security Council emphasizes that urgent action is necessary to resolve the problem of the East Timorese refugees in West Timor. While acknowledging the efforts of the Government of Indonesia so far, the Council expresses its belief that a number of further steps must be taken, including:

"(i) decisive action to disarm and disband the militia and put an end to their activities, including by the separation of militia leaders from the refugees in West Timor and the expeditious prosecution of those responsible for criminal acts. The Council welcomes the steps already taken by the Government of Indonesia and urges it to make further progress on eradicating intimidation in the camps;

"(ii) action to allow the international relief agencies to return to West Timor, which will in turn require that the security of their staff be guaranteed. The Council looks forward in this context to discussions between the Government of Indonesia and the United Nations on arrangements to facilitate an expert assessment of the security situation in West Timor. This should be in accordance with the usual modalities employed by the Office of the United Nations Security Coordinator;

"(iii) action to improve the flow of information to the refugees. The Council urges the Government of Indonesia, UNTAET and the United Nations High Commissioner for Refugees to work together to develop an information strategy that will allow the refugees to make an informed decision about their future;

"(iv) a credible, apolitical and internationally observed registration of the refugees, carried out in close cooperation with United Nations agencies and other relevant actors.

"The Security Council emphasizes the need for measures to address shortcomings in the implementation of justice in East Timor. The Council welcomes the adoption of Indonesian legislation for the establishment of ad hoc human rights tribunals. It also underlines the need to bring to justice those responsible for violent attacks in East and West Timor, including attacks on United Nations personnel and in particular the

murder of three humanitarian workers and two United Nations peacekeepers. It regrets that those responsible for the murder of the peacekeepers have not been arrested, and calls for action in this regard and for an early start to the trials of those accused of killing the humanitarian workers.

"The Security Council highlights the importance of the bilateral relationship between UNTAET and the Government of Indonesia. The Council underlines the need to resolve the outstanding issues of payment of pensions to former civil servants and the proposed transit arrangements between the Oecussi enclave and the remainder of East Timor. It encourages in this regard further progress in the dialogue between the Government of Indonesia and UNTAET.

"The Security Council will remain actively seized of the matter."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2000/39.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.

United Nations S/PV.4245

Security Council

Fifty-fifth year

Provisional

4245th meeting

Tuesday, 12 December 2000, 10 a.m.

New York

President	Mr. Lavrov	(Russian Federation)
Members	Argentina	Mr. Cappagli
	Bangladesh	Mr. Anmed
	Canada	Mr. Heinbecker
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Mr. Ward
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Theron
	Netherlands	Mr. van Walsum
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Biden

Agenda

The situation in Bosnia and Herzegovina

Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2000/1137).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-79170 (E)

The meeting was called to order at 10.15 a.m.

The President (*spoke in Russian*): I should like to acknowledge the presence at the Council table of Senator Joseph R. Biden, in his capacity as deputy representative of the United States on the Security Council. On behalf of the Council, I extend a warm welcome to him.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2000/1137)

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter from the representative of Bosnia and Herzegovina, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Prica (Bosnia and Herzegovina), took a seat at the Council table.

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

There being no objection, it is so decided.

I invite Mr. Klein to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina, document S/2000/1137.

At this meeting, the Security Council will hear a briefing by Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina. I give him the floor.

Mr. Klein (*spoke in French*): It is a pleasure for me to be here to introduce the report on the United Nations Mission in Bosnia and Herzegovina (UNMIBH). Considering the principal responsibility of the Security Council for the maintenance of international peace and security, I should like, before turning to the specific activities of UNMIBH, to offer my comments on the important changes that have recently occurred in the Balkan region.

Last month, the commemoration of the fifth anniversary of the signing of the Dayton Accords coincided with the clear resurgence of nationalist parties in the sixth series of elections organized since the end of the war. Those who had defended the holding of perpetual cycles of elections as a panacea to confronting the challenges of democratization are now reconsidering the relevance of turning to democratic procedures before democratic values are established.

(*spoke in English*)

Having spent five years implementing peace in the Balkans, I do not share the pessimism of some commentators, for three reasons. I believe that we have an historic opportunity to put a close to a tragic decade. We need to seize that opportunity and not be deterred by short-term developments.

First, the democratic changes in Croatia and Yugoslavia are of fundamental significance. For a decade, nationalist regimes in Belgrade and Zagreb have torn Bosnia and Herzegovina apart. Despite their signatures on the Dayton Accords, the regimes in Zagreb and Belgrade did everything they could to frustrate its intentions.

As recently as April 1999, in a tape recorded conversation, President Tudjman instructed President Jelavic to pretend to cooperate with the international community and to never let on that the goal remained partition. President Milosevic encouraged Serbs to view the Republika Srpska as a separate State and used

it to evade sanctions. Both States treated indicted war criminals as heroes and gave them refuge. Both gave military and financial support to separatist, partitionist forces.

In my recent meetings with each of them, President Mesic, Prime Minister Racan and President Kostunica have all confirmed their intention to take a new path based on respect for the sovereignty of Bosnia and Herzegovina. For Croatia, this means ending direct financial assistance to covert parallel Croat structures and channelling support in a way that enhances state institutions. For Yugoslavia, it means quickly normalizing bilateral relations and exchanging ambassadors as a first step towards addressing outstanding bilateral issues.

There will be challenging times ahead and difficult decisions to be made as we seek to drive the process forward without overloading nascent democratic forces that have not yet been able to consolidate their hold over the institutions of Government. Nonetheless, I believe that after the forthcoming elections in Serbia, the time will be right to seek to put trilateral relations on a new footing by inviting the Presidents of Yugoslavia and Croatia to meet with their counterparts in Sarajevo. I would hope that members of this Council would support such an initiative.

My second cause for optimism is that we now have a clear commitment by the members of the European Union (EU) to south-eastern European integration. The EU roadmap, as highlighted at the recent Zagreb summit, and the Stability Pact, despite its slow start, for the first time give the people of the region a credible destination in a European home. It should be recognized that the Dayton Accords addressed the internal and constitutional dimensions of statehood, but were not a regional context. European integration was the missing political construct, without which regional stability could not be achieved. In many senses, Europe has now taken up where Dayton could not go.

The challenge here is to make the promise of Europe credible to the common people. They are sceptical, thinking that the international community may leave the work unfinished and that they will remain in a Balkan no man's land, marginalized from mainstream Western development and fought over and preyed upon by nationalist, extremist and criminal interests. This is why I have been advocating at least one concrete step, such as membership in the Council of Europe, as tangible proof that we are committed to their future.

My third point is that even though progress has been frustratingly slow, much has been achieved to build the infrastructure of a State that can function in a European context. We should not underestimate the magnitude of the task we undertook and the commitment we promised five years ago.

In the fall of 1995, Bosnia and Herzegovina was a wasteland of human tragedy and destruction. Half the pre-war population — some 2.2 million people — were refugees or internally displaced persons. During three and a half years of violent ethnic cleansing, more than 200,000 people died. The economic infrastructure, the housing stock and the religious and cultural objects of an ethnically and culturally diverse land had been purposefully destroyed. Not a family was left unscathed.

Rebuilding the physical and social infrastructure was never going to be cheap or easy. We committed ourselves to the task not only for humanitarian reasons but also because, politically, Bosnia and Herzegovina cannot be relegated to a mere footnote in the Balkans or in Europe. Three times in the past century it has necessitated massive international intervention. It remains the historical, religious and ethnic fault line that can again rupture regional stability. And it is the only State from the former Yugoslavia that is in any way multi-ethnic.

Against this background, I was neither surprised nor am I unduly concerned that the nationalist parties preserved their positions in the recent elections. Their relatively weak showing in the April municipal elections shocked them into mobilizing their old system of patronage and local media control to boost voter turnout in their favour. They spent enormous sums of money, very little of which was accounted for.

The election results were not entirely negative. Major non-nationalist parties consolidated their positions and, in theory at least, could form a grand coalition that does not include the three main ethnic parties. The real disappointment is that after five years of intensive international engagement, a sizeable proportion of the population continues to support those who led them into war but who cannot lead them into Europe.

There are some lessons to be learned from these elections. We have made our task more difficult by not having acted robustly against the criminality and corruption that have sustained the nationalist elites. For the past five years, the only engine of economic growth in Bosnia and Herzegovina has been international assistance, while nationalist parties have been able to plunder State assets. Resistance to the creation of a State Border Service and to economic reforms, such as privatization of public companies, is most accurately explained on criminal, not political grounds.

I welcome the High Representative's focus now on economic reform and institution-building, but I am convinced that we would have made greater progress had we robustly tackled crime and corruption earlier, including through a more intrusive police and judicial mandate. This is why I have voiced concern about achieving a seamless transition from UNMIBH's judicial system assessment programme to its successor body in the Office of the High Representative.

It could also be argued that the international community has been overly conservative in how we have implemented the Dayton Accords. We have paid a very high price for our timidity in not arresting indicted war criminals in the early days of the North Atlantic Treaty Organization intervention. Their continued presence undermines the establishment of the rule of law, inhibits inter-ethnic reconciliation, prevents the victims and their families from reaching psychological closure and holds back the political future of the region.

I am pleased to be able to say that over the next 18 months, the Law Enforcement Personnel Registry that UNMIBH has established will ensure that there are no war criminals in the local police forces. But until Karadzić and Mladić are brought to justice, there will remain a dark shadow over everything we are trying to do. Ultimately, we cannot absolve the innocent until we punish the guilty.

Finally, the efforts of the international community have often languished through conflicting political messages, uncoordinated projects and failure to follow through, which have been used by obstructionists to their advantage. This is the price of having different bodies mandating different organizations under a loose coordinating authority.

As we take stock of what remains to be done at a time of shrinking resources and competing regional priorities, some rationalization and consolidation of the international presence in Bosnia and Herzegovina should not be ruled out. Diminishing resources must be used to greater effect. This means displaying far greater resolve and unity of effort. The dramatic changes in South-Eastern Europe have given us the opportunity and the necessity to re-evaluate our strategies and synchronize our operations on a national and regional basis. In this regard, the European States must play a key role.

Turning now to the specific role and work of UNMIBH, the Secretary-General's report summarizes the achievements of a Mission that is fully engaged, dynamic and results-oriented. We have broken new ground not only in what we do, but also in how we do it. The Mission stands at a point where we can see the end in sight, but we do not have the financial resources to get there.

Let me summarize quickly what we have done.

We have achieved the transformation and reduction of police forces from 40,000 wartime personnel in 1996 to under 20,000 today.

Over 95 per cent of these police personnel have undergone transitional and human-dignity training courses to ensure understanding of human rights. Specialized training has been conducted in drug control, organized crime and crowd control.

The Law Enforcement Personnel Registry has been established to register and conduct background checks on all police personnel. Phase 1 of this project will be completed this month. It identifies every police officer, where they came from, their ethnic group and their experience and qualifications. In phase 2, we will be able to weed out personnel who are suspected of war or other crimes. The Registry is also the basis for determining the ethnic composition of the police forces.

Full freedom of movement is now taken for granted. The numbers of refugees and displaced persons have increased dramatically. In the first 10 months of this year, over 46,000 minority returns have been registered — twice the number of last year. The number of return-related incidents, although still unacceptably high, has decreased in most areas, as a result of UNMIBH training and guidance for the local police.

Major steps have been taken towards changing the ethnic composition of the local police forces to give confidence to returnees. Over 550 cadets, most of them members of minorities, have entered or completed training at the two multi-ethnic police academies, in Sarajevo and Banja Luka.

The agreement reached this year with both entities on voluntary redeployment of minority police officers to return to their pre-war places of employment has started to bear fruit. In another innovation, the first refresher courses for pre-war police have begun. The unified multi-ethnic Brcko police service has been inaugurated and functioned responsibly during pre-election riots.

Following two years of obstructionism and delay, on 6 June UNMIBH inaugurated the State Border Service at Sarajevo airport. I will return to this point later.

In response to the alarming statistics on the number of illegal migrants transiting Bosnia and Herzegovina on their way to other parts of Europe, we have initiated a joint task force on illegal immigration and organized crime through the Cooperative Law Enforcement Arrangement between entity Ministries of Interior.

Substantial progress has been made in the integration of the Federation Ministry of Interior and the Ministries of Interior in mixed Croat/Bosniac cantons. Our target now is to establish unified budgets and complete physical co-location of ministries.

The police commissioner project is making good progress. Its aim is to reduce political interference in police work and to institute a single chain of command in police forces.

The formerly separate Bosniac and Croat specialized police forces in the Federation have been integrated and trained for crowd control and major-incident management.

The excellent judicial system assessment programme, which was terminated on 1 December 2000, completed 14 major reports on the systemic deficiencies of the legal and judicial system.

The first Bosnia and Herzegovina multi-ethnic United Nations Civilian Police contingent of 12 is performing well in East Timor. A second contingent of 23 officers, including one woman, is now being deployed. And the first nine military officers will be ready next month for deployment as United Nations military observers to Eritrea and Ethiopia.

The progress made by the Mission has enabled us to think about an end point. With this in mind, we have prepared, as an internal and evolving document, a plan for the completion of our core mandate. The Mandate Implementation Plan is a realistic attempt to identify specific objectives for the tasks given to us by this Council and to translate them into realistic programmes and projects that are achievable, provided that we have the necessary resources and a political environment conducive to that work.

In fact, one of the driving forces behind the creation of the Plan was to give donors a comprehensive overview of the requirements of the Mission and, upon completion of the programmes, a clear measure of the results of their contributions. This is critical, given the expansion of peace operations and the necessity of prioritizing programmes that require donor support.

Our vision for the state of local police forces in December 2002 takes into account the legacy of war, current political conditions, rational expectations of the population, local policing traditions and the aspirations of Bosnia and Herzegovina to join the European family of nations. The intention is to address the three levels of law enforcement in democratic societies, namely, the individual police officer, the institution of law enforcement and the relationship between law enforcement agencies and civil authority and society.

Mandate implementation does not attempt to prejudge the decisions of the Council on the duration or the substance of the mandate of the UNMIBH. At six-month intervals, and particularly towards the end of 2002, the Mission will evaluate the completion of its goals. Every effort will have been made to maximally achieve all areas of the core mandate and to have established self-sustaining mechanisms and institutions to achieve long-term and ongoing goals such as a full minority representation. All of this is dependent on UNMIBH having the resources to do the job. Allow me to briefly highlight the key areas where mandate implementation risks becoming stalled because of major resource shortfalls.

Rapid establishment of control over State borders is the key to the consolidation of sovereignty, territorial integrity and international personality in Bosnia and

Herzegovina, including with respect to its neighbours. The multi-ethnic State Border Service, which UNMIBH had been tasked to establish, is the first State-level rather than entity-level executive agency and an integral part of the international objectives of institution-building. More concretely, full deployment of the State Border Service is absolutely essential to combat organized crime, illegal migration, customs evasion and trafficking in human beings and illicit drugs.

At Sarajevo airport alone, we have documented over 21,300 people this year who are suspected of having entered the country in order to illegally migrate to European States. The number of illegal migrants apprehended in Croatia has nearly doubled to 18,000 this year, and the number of victims of trafficking has also increased. In November alone, 50 women and girls were freed from brothels and assisted in repatriation to their home countries.

With the resources available to us until now, we have established a 400-person State Border Service deployed at three land crossings, one airport and a national headquarters, but we need the help of the Council and we need funding. However, as of today, we are unable to hire candidates for 900 positions which will result in a coverage of 60 per cent of the border. Under the best possible circumstances, which include the release and utilization of all previous donor pledges, the projected budget for 2001 will not even cover the salaries for these additional staff, let alone equipment and operating costs. I sincerely urge all potential donors, particularly the European States and institutions, for which an effective State Border Service is a cost-efficient preventive investment, to support the rapid deployment of this essential State institution.

A second deep concern is the lack of funding for housing reconstruction for minority police. Here we are victims of our own success. This year we have broken through all the political obstacles to the deployment of minority police. Their presence in the areas of return is a vital confidence- and security-building measure to encourage others to return. If we agree that the ability of people to return to their homes is the litmus test of the Dayton Accords, then support for minority police housing must be at the top of our priorities. At present we have over 200 minority police ready to go home, but no funding to assist them. I am deeply concerned that this entire project may falter over this single issue.

Finally, there is the legacy of Srebrenica. Five years on, after the infamous massacre of over 7,000 men and boys, the area of Srebrenica remains a tragic and desolate place. The decision on a permanent burial site for the victims has removed a major psychological impediment, but substantial assistance is required to create the semblance of normal life. Serb displaced persons currently living there need political and financial assistance to be able to go home, thus releasing housing for Bosniacs to return. The infrastructures in Srebrenica municipality have not been repaired since the war, and investment is required for job creation to support those who are returning and those who wish to stay.

I believe we all have a solemn moral responsibility to assist the people of Srebrenica, and after five years the opportunity to make a difference is now before us. In cooperation with the international organizations on the ground in Srebrenica, we are preparing a comprehensive plan to address the many urgent needs. It is our hope that the relevant donors will allow us to use the United Nations Trust Fund resources for these purposes.

(*spoke in French*)

May I close this presentation by paying tribute to the men and women who are working in the service of UNMIBH. It is their work that makes our Mission successful. Day by day the 93 nationalities of which UNMIBH is composed represent a model of what can be accomplished when men and women of goodwill are prepared to work together for a common cause.

I am particularly happy that China is planning to make available to UNMIBH police officers and a diplomat. This bears witness to the constant support that the members of the Council give to UNMIBH. Please rest assured that we will continue to work hard to deserve your confidence.

The President (*spoke in Russian*): I thank Mr. Klein for his detailed and frank briefing.

Mr. Biden (United States of America): It is an honour and a pleasure for me to be here today. The United Nations is held in great esteem by the American people and, notwithstanding what the Council has heard, by the vast majority of the members of the United States Congress. I, for one, hold it in the highest esteem, and that is why I deem it such a great honour to represent my Government today.

One of the items that are on the minds of many Americans today is not my presence here at the Security Council but the Supreme Court of the United States. As I told the Ambassador of Malaysia earlier, we may be appealing the election to the Security Council, so I hope you are all ready to vote today. I will make a case for one of the candidates, but I will hold off on that right now. One of our colleagues suggested that the Organization for Security and Cooperation in Europe (OSCE) should come in and oversee our election process, but I can assure you that the Cubans have already made an offer, so we are in good shape.

I guess I should not be so facetious before such an august body, but we Americans today are waiting with bated breath to see what our Court does, and I can assure you all that, whatever the Supreme Court of the United States decides, both political parties will accept, and accept without hesitation, and we will move forward.

I should like to begin by commending the Special Representative of the Secretary-General, Mr. Klein, for his report and his leadership as head of the United Nations Mission in Bosnia and Herzegovina, in particular the Mission's International Police Task Force, the IPTF, which, I might add, in the Congress in which I serve was one of the single most significant and important institutional initiatives with officers from 45 countries, that I thought had to be taken. It deserves our praise for its important work in building an integrated, multi-ethnic police force.

In view of the complex situation in Bosnia and Herzegovina, we must begin with a strikingly positive reality. Bosnia and Herzegovina is at peace thanks to the efforts first of the Implementation Force (IFOR) and then the Stabilization Force (SFOR), both led by the North Atlantic Treaty Organization (NATO). I have witnessed firsthand the excellent cooperation between Russian and American troops in northern Bosnia, something I quite frankly, as a member of the United States Senate for over 28 years, I was not sure I would ever witness. I witnessed it, and it was heartening.

We should not minimize the achievement of the SFOR peacekeepers. During the war, more than 200,000 citizens of Bosnia and Herzegovina, the vast majority of them civilians, perished. More than 2 million were made homeless, and countless numbers of all three communities — Bosniac, Serbian and Croatian — were tortured, raped and otherwise brutalized. And today, despite sporadic acts of violence under the security umbrella of 20,000 SFOR troops, most citizens of Bosnia and Herzegovina no longer live in daily fear for their lives. Shell-shocked cities like Sarajevo have come back to life, and small-scale commerce has been revived. Visitors, as I have been on a number of occasions, encounter a sense of normalcy in most areas. I repeat: this is a major achievement.

Nonetheless, Bosnia and Herzegovina remains a country with many challenges to overcome. With a renewed and more vigorous engagement by the international community, and above all by SFOR, by the High Representative and by the United Nations, I am confident that each of the challenges, all of which have been laid out by Special Representative Klein, can be met.

I had planned on speaking in more detail about Bosnia and Herzegovina, but Mr. Klein has done it so well I would only be repetitive. I would like to suggest, though — and this is one of the lessons I hope we have learned from Bosnia and Herzegovina — that, first and foremost, every mission must have a clear, credible and achievable mandate. This was not the case with the United Nations Protection Force, and it is the case with SFOR in Bosnia and the Kosovo Force (KFOR) in Kosovo. After a clear and achievable mandate is decided upon, the military chain of command, in our opinion, should never include a United Nations civilian officer.

Secondly, the peacekeeping troops have to be given rules of engagement that enable them adequately to defend themselves and that give the people they are supposed to protect confidence to believe they will be protected. UNPROFOR peacekeepers were saddled with very restrictive rules of engagement. It is no one's fault. It is a lesson I hope we have learned. But saddling them in the way we did resulted in many of the Blue Helmets being taken hostage by Bosnian Serbs and in the incredibly difficult, if not impossible, position that the Dutch were placed in Srebrenica. Guarantees of safety of civilians entrusted to them in a United Nations safe haven were not able to be fulfilled. We should not repeat that grave mistake, and we have not repeated that with SFOR or KFOR.

Thirdly, when peacekeeping operations are being formed, United Nations Member States should be permitted to contribute troops only if they are able to

commit to equip them adequately. Many Council members visiting Bosnia several years ago witnessed what I did, with troops literally being put in jeopardy of freezing in the winter. Never again must we witness Blue Helmets nearly freezing to death in harsh winter conditions, or any such situations around the world.

Fourthly, I think the Mission will require more thorough training of personnel and must consist of several types of peacekeepers. The skills they need include many of those of normal combat troops, ones that they are not trained to have. Civilian police and judicial functions have been proving to be fundamental to peacekeeping operations, as Mr. Klein has indicated. An immediate layer between combat forces and police, such as international specialized units in Bosnia, is an important element of any operation, I would respectfully suggest, in the future.

Fifthly and finally, our experience in Kosovo has revealed the inadequacy of the current peacekeeping structures. The Secretariat was unable to respond with the resources of expertise that Mr. Kouchner needed to fill the mandate he was given. Furthermore, there were delays in getting police from donor countries and in setting up courts, banks, schools and hospitals. The United Nations must, in our view, redesign its peacekeeping structure to prevent such mishaps from recurring. I need not recommend to any of you the Brahimi report, the implementation of which we think is badly needed.

The international mission in Bosnia and Herzegovina is an ambitious but necessary, often frustrating but eminently doable, requirement. Extending the zone of stability throughout the Balkans is of vital importance not only to the entire European continent, but also to the continued credibility of this Organization. For SFOR or the United Nations to disengage before our goals are accomplished would only guarantee renewed violence and a much more costly re-entry in the future. We must stay the course and prevail, regardless of how long it takes.

I would add that we agree fully with Mr. Klein's suggestion in his report that the events in the remainder of the region, particularly recently in Croatia and the Federal Republic of Yugoslavia, give us reason for much more hope. Those changes, along with the European commitment to the stability fund, as well as the genuine, I think, recognition of the need to integrate the Balkans into Europe, ultimately hold, in our view, the final key.

What I had planned on doing was talking more in detail about the report, as I suggested, but it has been suggested that, in the light of the detail into which Mr. Klein has gone, I speak to one other issue which I am sure is on members' minds: the attitude of the next presidential Administration and the next Congress towards what is referred to, at least in our country, as the Helms-Biden amendments that were passed and the Helms-Biden legislation.

In my 27 years of service in the United States Senate, I have been a steadfast supporter of the United Nations, and throughout my career I have worked with my fellow members of Congress to ensure a bipartisan approach to our international policy. I am confident that many of my colleagues join me in the call for a better, more active relationship between the United States and the United Nations. But have no doubt, the United States wants to be a part of the solution for strengthening the United Nations. I know many of you have privately and personally entreated me to determine whether or not there is likely to be any change in the attitude of the United States Congress or the next Administration, with regard to Helms-Biden. The answer is no, there is not likely to be at all.

The majority of the members of Congress believe in, and intend to continue to support, the objectives outlined by the President of the United States and other world leaders at the United Nations Millennium Summit. However, we will not be able to participate fully if the United Nations membership fails to come together and update the regular budget scales and does not adopt a more rational peacekeeping scale. Specifically, the United States is committed to seeking a regular budget ceiling of 22 per cent this year and a reduction in our peacekeeping contribution from 30 per cent.

I know Ambassador Holbrooke and other members of the United States Mission have discussed the details of our position with everyone in this forum, as well as in other committees of the United Nations, in some detail. The fact of the matter is that Congress has expressed it clearly and by an overwhelming vote, and I hope that it has been understood not as an American diktat, but as an effort to help fix a problem. As a co-author of this legislation — and some of you know that had I been Chairman of the committee and were I in a

position to get the funding from the United States and movement on the arrearages — I do not believe we should have made a connection between the reforms and the United States keeping its commitment.

But, quite frankly, my view is not a majority view. What was done was done, and now we are saddled, and in a sense we have saddled you with having to focus on so-called reforms. I do not think we would ever reach an agreement and begin to pay off our arrearages had we not settled on the Helms-Biden approach within my organization, the United States Congress. I have to say that when the Secretary-General visited Washington three years ago to discuss the issue with me and other members of Congress, they were made aware of our dilemma.

So here we are: $100 million in payments have already been made and more than half a billion dollars more are ready for disbursement, but it will require work by all of us. This is in addition to the billion-dollar increase that the United States Congress has agreed to move on this year for the United Nations.

We seek a two-way street where the United States commits to paying its arrears, while at the same time the United Nations accepts the need for major reform. For more than 50 years now the United States has been by far the largest single contributor to this Organization, and though we may not always see eye to eye on every United Nations issue, this does not mean that we are about to walk away from the table. All of us are here today because we need the United Nations. The United States needs the United Nations. At the same time, we also need to be more effective, relevant and just.

In 1946 Arthur Vandenberg, one of my most esteemed predecessors, came to this forum and stated,

> "We believe that a ceiling upon contributions for basic administrative expenditures should be placed at some reasonable point. I would be less than frank if I did not say that the failure to do so may risk a reaction which could one day jeopardize the stable and progressive development of this entire Organization."

While many changes have taken place between Senator Vandenberg's call for reform and my own, one thing most definitely has not changed: the United States continues to believe that United Nations stability and development will require every Member's voice to be heard and will require each of us to play his or her proper role in supporting the Organization. But the burden must be more broadly shared if the Organization is to develop and progress.

As I said, members should not think that our focus on assessment issues means that the United States is walking away from the United Nations. On the contrary: the United States Government is in the process of committing nearly $3.5 billion to the United Nations in the year 2001, and that includes record levels of voluntary contributions and a 71-per-cent increase in the agreed congressional appropriations for peacekeeping. We want to continue that impressive record in the future — I personally want to continue that record.

Moreover, the United States agrees that, as a permanent member of the Security Council, we have a special obligation to this institution, and we hope that the other four permanent members also join us in bearing that responsibility — which they do. Clearly, the poorest countries cannot and must not be held to the same assessment rates as the industrial Powers. We believe, however, that the financial burden of the United Nations must be shared, and that a handful of countries cannot be expected to go it alone.

Together with my colleagues in the United States House of Representatives and Senate, I am concerned that the reform efforts may fail. That would seriously jeopardize the financial base of the United Nations and could destabilize the United States-United Nations relationship. As a long-time supporter of the United Nations, I believe it is critical that this issue be resolved now. It should not cast a shadow over the relationship of the United Nations with the next United States Administration. A negative outcome might have a devastating impact on any efforts within the United States Government to promote development aid and to garner more resources for peacekeeping. And I want to make it clear that I am saying this as a friend of the United Nations and as one who believes that we must continue to move to pay our arrearages.

I anticipate responses to the views I am expressing on this issue, and I do not mean to suggest that I do not realize that there are other points of view — and compelling points of view — held by members of the Security Council.

I want to take note of some positive indications of change and to say that I am truly pleased to see real and lasting reforms under way in this body; I believe that these will help permanently re-centre support for the United Nations within the United States Congress. In the interests of time, I will forgo speaking of this.

Let me turn finally to the peacekeeping issue. I know that my time is limited, but I want to make some brief comments concerning United Nations peacekeeping operations, recognizing that financial reforms are only part of the changes needed by the United Nations. Ambassador Brahimi and the expert Panel on United Nations Peace Operations have produced a courageous and, we believe, far-sighted report on how to reform United Nations peacekeeping operations.

The report (S/2000/809) clearly indicates that the threat of personal danger has not prevented thousands of men and women from participating in United Nations peacekeeping operations during the past 50 years. Sadly, a number have given their lives in the service of peace, as did those in East Timor and Sierra Leone recently; we honour their memory. At the same time, the report acknowledges that the United Nations must do a better job in preparing and implementing its peacekeeping mission. I ask all members of the Council to join in supporting the need to reform and strengthen that critical function. Peacekeeping is a shared task for ever Member and, without the help of all, countries in crisis will not get the help they need; and, when they do, our peacekeepers will be put at unacceptable risk.

The Secretary-General has been particularly helpful in this discussion, and I am sorry that I am not able today to thank him personally for his efforts. However, it seems fitting that he is right now in Algeria attending the signing of a formal peace agreement between Ethiopia and Eritrea. I commend him for his statements to the General Assembly, in which he said that sovereign boundaries would no longer provide a defence for madmen who wanted to exterminate their own populations. That was visionary — indeed, revolutionary. Perhaps it sprang from the tragedy in Rwanda; it should serve as a warning to the despots of the world.

I know that the task of the Security Council is a daunting one, and I know that the task of the rest of the membership is equally difficult in terms of determining how to address some of the issues I have raised. But we must never lose sight of our obligation to, as the Charter charges us, maintain international peace and security. Yes, we need greater emphasis on development, but we cannot address development without peace and security. The financial and peacekeeping reforms now being discussed will go a long way towards ensuring that we meet our commitment — and, quite frankly, that my Government meets its commitment.

I conclude by saying that we badly need the United Nations. It would be presumptuous of me to suggest that the United Nations needs us, but I would suggest that, at a minimum, it is probably useful to have us. Quite frankly, my ability and the ability of Ambassador Holbrooke and his successor to ensure that the United States meets its obligations will require that there be changes along the lines of the Helms-Biden amendment. Again, if I had been the one able to dictate the outcome in the United States Congress, no conditionality would have been attached, but there still would have been a call for the same reforms that are in that legislation.

I thank the Council for its indulgence, and I thank the Council for the opportunity and the honour of speaking before this body.

Mr. Cappagli (Argentina) (*spoke in Spanish*): I am grateful for the report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/2000/1137) and for the oral briefing by Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina. We are grateful also for the statement just made by the representative of the United States.

As we have said on other occasions, the rule of law is a prerequisite of stable peace. For that reason, the progress made by the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in fulfilling its mandate is of great importance.

With respect to the police, I wish to highlight, among other positive elements, the professionalism with which the police acted during the general elections held on 11 November and on the fifth anniversary of the Srebrenica massacre. It is also encouraging that the political and administrative obstacles to the recruitment of police officers from among minorities have been overcome.

Turning to the judicial system, we view as appropriate the decision of the High Representative, Mr. Wolfgang Petritsch, to create an Independent Judicial Commission to assume many of the functions of the UNMIBH judicial system assessment programme. But in our view, it is unsatisfactory that the new Commission can begin to function only after that programme comes to an end is not satisfactory. Also of concern are the difficulties, particularly financial difficulties, facing the establishment of a police mechanism for the protection of judges and witnesses.

Given the magnitude of the problems facing Bosnia and Herzegovina in the areas of illegal migration, trafficking in human beings and the trade in stolen goods, it is obvious that the State Border Service must function fully with adequate human and financial resources. Here, we agree with the Secretary-General that investment in that Service is an essential preventive measure.

The return of refugees and displaced persons is undoubtedly another precondition for stable and lasting peace. We therefore view as a positive sign the progress made during the past year on the return of members of minorities. The other side of that coin is the lack of housing, as well as the existence of illegally occupied housing and the unprofessional behaviour of local police in incidents related to the return of members of minorities. Clearly, a great deal remains to be done before the Dayton Agreements are fully implemented.

On a previous occasion, we supported the idea of setting the deadline of December 2002 for the conclusion of UNMIBH's activities, as long as internal or external circumstances do not change. If it is the mission's understanding that it can, without difficulty, fulfil its mandate with 1,850 International Police Task Force officers, we will support the adoption of such a measure.

As for the presence of the Stabilization Force, as a contributing country, we believe, together with the Secretary-General, that a review of its presence or mandate must be conducted in the light of UNMIBH's security requirements.

In conclusion, we would like to reiterate our conviction that peace and reconciliation will be tangible in Bosnia and Herzegovina only when its people and, in particular, its leaders, truly understand that differences can also form the basis for building a State.

Mr. Levitte (France) (*spoke in French*): I should like to welcome Senator Biden. Like all members of the Council, I am pleased to see him sitting at the table. We welcome him to the Security Council. He is sitting in the midst of an Organization that is doing better. We have a Secretary-General whose exceptional success is acknowledged by all. We had a Millennium Summit that charted a course for the future. Reforms are under way. Senator Biden mentioned the reforms proposed by the Brahimi Panel. Those reforms are important if we want peacekeeping operations to be successful. For that to be possible we need a little money, which means an increase in the United Nations budget.

We pay tribute to the commitment and generosity of the United States. I took note of the figure of $3.5 billion that the Senator put forward for next year. He should know that other countries are also generous. The 15 countries of the European Union, which, like the United States, have approximately 29 per cent of gross national product worldwide, will give $4.5 billion to the United Nations — about $1 billion more than the United States. We will talk about this issue more during the course of the day. All of the countries of the European Union want an agreement — a good agreement — on the two United Nations budgets. We will be tackling these negotiations in a constructive spirit in the conviction that agreement will be possible next week if everyone around the table demonstrates flexibility.

I shall now turn to the briefing given by Mr. Jacques Klein. I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — as well as the associated countries, Cyprus and Malta, align themselves with this statement.

I should like first of all to thank Mr. Jacques Klein for his statement, which, as always, was remarkably precise, well-structured and replete with instructive ideas for the future. He very usefully supplemented the comments made by the Secretary-General in his report.

The Special Representative of the Secretary-General clearly demonstrated — if there was any need to do so — the extent to which the active support of the

international community is crucial for the consolidation of the rule of law, the development of good governance and the strengthening of stability in South-Eastern Europe.

It is with this in mind that the European Union has, for 10 years, been providing massive aid to the countries of the Balkans. If we add up development assistance, budget financing and humanitarian aid, between 1991 and 1999, more than $15 billion have been allocated to these countries by the European Union and its member States. This figure represents more than 65 per cent of the total amount allocated by the international community to South-Eastern Europe. By comparison, the contribution of the largest non-European Union donor accounts for less than 3.5 per cent of the total. That difference is to be expected; it is natural that the countries of the European Union should accept to bear the bulk of this burden, as the situation is of primary concern to them.

The States members of the European Union have also taken into their territory hundreds of thousands of refugees driven from their countries by conflicts in the Balkans. Very large amounts of money were required to make that hospitality possible.

With regard to military personnel deployed on the ground, European Union member States supply 60 per cent of the troops in the Stabilization Force in Bosnia and Herzegovina and 63 per cent of the Kosovo Force troops. Again by way of comparison, personnel supplied by the State that makes the largest contribution — aside from the European Union — account respectively for 21 per cent and 17 per cent of the total number of those troops.

With regard to the civilian police, the Union has set itself the objective of being in a position, by 2003, to deploy up to 5,000 police officers in peace operations throughout the world. I believe that this is a very important point, and I am stressing it for the benefit of Senator Biden. One of the weak points of peacekeeping operations has often been the lack of police officers. Over the next three years, therefore, the European Union will be able to provide up to 5,000 police officers.

At this stage, for Bosnia and Herzegovina alone, as can be seen from the report of the Secretary-General under consideration today, 625 of the 1,776 members of the International Police Task Force of the United Nations Mission in Bosnia and Herzegovina are European Union nationals. This figure accounts for 35 per cent of the members of the Task Force.

At the political level, the European Union restated its commitments regarding South-Eastern Europe at the Zagreb Summit on 24 November. The final Declaration of the Summit, which was distributed as an official Security Council document, reaffirms the European perspective of the countries in the region participating in the stabilization and association process launched by the Union. This is true in particular for Bosnia and Herzegovina. Bosnia and Herzegovina will need to make the necessary adjustments in order to benefit fully from all of the opportunities offered by that stabilization and association process.

It is clear that the assistance provided by the international community in support of peace cannot alone resolve all the problems. It is in the interests of extremist nationalists to perpetuate a siege mentality and keep people locked into ethnic division. The yoke imposed by these men of the past must therefore be thrown off. During this year, through the ballot box, the Balkan peoples have made considerable progress along this path.

In Bosnia and Herzegovina, the effects of the democratic changes in the region will be positive, even if the multi-ethnic parties did not make the expected breakthrough in the recent general elections. However, in that country, much effort and determination on the part of the international community will be required before the anticipated outcome can be achieved.

In its field, UNMIBH is making an excellent contribution to this long-term endeavour. The United Nations Mission has an appropriate mandate. Under the leadership of the Special Representative of the Secretary-General, it is working effectively, in keeping with the very clear guidelines laid down in advance. I commend its work, which is totally satisfactory.

Within UNMIBH, the International Police Task Force is playing an essential role, and doing it very well. It is responsible in the first place for advising the local police, developing cooperation of the Bosnian police with the judicial system and seeing it through its transformation into a structure that fully respects democratic values. This mission is decisive. It contributes to the process of stabilizing the situation in Bosnia and Herzegovina as a whole. The confidence that Bosnian citizens can have in the institutions of

their country will largely depend on its success. We must therefore ensure that this task can be continued, without any interruption, until it is completed.

Another important police issue is the strengthening of the State Border Service. The report of the Secretary-General clearly describes the worrying increase in human trafficking and the increase in criminal activities of all kinds in Bosnia and Herzegovina. We must not give up when faced with this unacceptable situation. Resolute measures are expected of the Bosnian authorities to end it. In particular, the presence of State Border Service units should not be confined to only four points of entry into the country. Moreover, operations targeted against mafia networks and known sources of criminal activities must be stepped up.

Significant progress has been made in Bosnia and Herzegovina, but considerable challenges remain. Day after day, Mr. Jacques Klein and the entire UNMIBH staff work tirelessly to fulfil their mandate, so that these challenges can finally be met. I assure them once again of the European Union's encouragement and unanimous support in their continuing mission.

Sir Jeremy Greenstock (United Kingdom): I, too, warmly welcome the presence at this table of Senator Biden as the United States representative. It is extremely important for the Security Council and for the United Nations that he is here and that he has used the occasion to address us not just on the subject on the agenda, but also on the subject that will be uppermost in our minds between now and 22 December. I very much appreciate his approach to those particular difficulties. I share in their entirety the remarks of my French partner on the subject. And I believe that if the result of our negotiations on the scale revisions can encapsulate the fundamental intentions of the United States Congress and the fundamental intentions of the rest of the United Nations membership — and I believe they can — then we shall have achieved a remarkable step forward both for the United Nations and for the United States.

Since the Senator is here, I also want to pay tribute to the United States role on Bosnia over the past decade and his personal role in that. This subject, above all, has illustrated how much can go wrong when the United States is playing separately from the international community and how much can go right when we are all playing together.

The United Kingdom welcomes very much the Secretary-General's report on the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and the Special Representative's briefing this morning. I pay a particular tribute to Mr. Klein and his team for what they are continuing to achieve in Bosnia. His leadership is extremely important to the objectives of the United Nations there.

I support and endorse the European Union statement just made by the French presidency, but I would like to make a couple of points in addition to reflect what I think, as Mr. Klein has said, is relative progress, but still progress that has flaws on the ground that have to be addressed.

My first point concerns the local police system. We welcome the contribution that UNMIBH has made so far in reforming the police system, to which the Special Representative has rightly devoted a great deal of attention, but we share the Secretary-General's concern about the slow pace of police reform in areas of the eastern Republika Srpska and in canton 10. We welcome the High Representative's recent decision to dismiss the canton 10 Minister of the Interior for repeated obstruction of reform.

We also applaud UNMIBH's efforts to highlight the scale of illegal immigration, but the results are still very disturbing. Illegal immigration and the associated corruption and organized crime have ramifications for all of Bosnia's European neighbours, including the United Kingdom. The ongoing challenge for Bosnia and Herzegovina is to build credible State-level institutions in order to combat the problems successfully. An effective State Border Service is a key part of the solution, and should remain a priority.

The rise of nationalist parties in the elections shows that there is no ground for complacency, as does the statistic that 62 per cent of Bosnia's youth wish to leave the country. The incoming authorities at entity and State level have a very serious challenge to meet in proving to the young people of Bosnia and Herzegovina that they do indeed have a future in the country of their birth.

Mr. Wang Yingfan (China) *(spoke in Chinese)*: On the fifth anniversary of the end of the war in Bosnia and Herzegovina, the Council's consideration of the situation in Bosnia and Herzegovina is of special significance. In the past five years, with the assistance of the international community, and with the joint

efforts of the three sides in Bosnia, the Peace Agreement is being implemented well.

Three elections have been conducted smoothly. Agencies at various leveis have been operating normally. The functions of a unified State have been enhanced. Economic rehabilitation and reconstruction have made considerable progress. The Chinese delegation welcomes all these positive developments.

I thank the Secretary-General for his report and the Special Representative, Mr. Klein, for his very detailed briefing. It is praiseworthy that good progress continues to be made in police reform and restructuring and in judicial reform. With the assistance of the local police and the International Police Task Force (IPTF), the elections of 11 November were conducted smoothly. We are very pleased to see that the practices of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and of the IPTF have produced very precious experience for peacekeeping operations undertaken by the United Nations.

Peace in Bosnia and Herzegovina was hard won. It is even more difficult to consolidate peace there. Five years after the achievement of peace in that country, it must be seen that progress in the implementation of the Peace Agreement has been slow — slower than the international community had expected, especially in the return of refugees. As stated in the report, the ability of refugees and displaced persons to return is the litmus test of the Peace Agreement.

Furthermore, there is still a lot of work to be done in the areas of enhancing self-governance capacity, national accord and reconciliation and post-war reconstruction. In this regard, I would like to underscore two points. First, achieving national accord and reconciliation between Muslims, Croats and Serbs, along with the restoration of confidence and common development, are fundamental prerequisites to achieving durable peace in Bosnia. We sincerely hope that the leaders of the three groups will put aside their past grievances and engage in genuine cooperation to rebuild the economy, reconstruct a unified country, and facilitate the return of refugees, minority refugees in particular. It is only by strengthening the economy and achieving social development that peace can be truly consolidated. This brings me to my second point, namely, that the international community should continue to provide assistance to Bosnia and Herzegovina while focussing its action on helping local people achieve self-governance.

Finally, I would like to thank Mr. Klein and his team for their contributions. China will continue to support the work of UNMIBH and the IPTF. As Mr. Klein has stated, the Chinese delegation has decided to provide police officers and a diplomat to the Mission.

I also wish to thank Senator Biden for the statement he has just made. I take particular note of his having reiterated the importance attached by the United States to the role of the United Nations. I have also noted his expression of the willingness of his country to strengthen its relations with the Organization, as well as his remarks regarding strengthening peacekeeping operations. It should be pointed out that the United Nations and the Security Council have achieved some common understanding with regard to peacekeeping.

Senator Biden also spoke of the two scales of assessment. This is, of course, not the subject under discussion today, but, because the Senator has come all the way from Washington, I would like to make a very brief comment about what he has just said. The majority of Member States believe that some adjustment should be made to the two scales of assessment. The key is how to make that adjustment. Most Member States also have a basic common understanding that both scales should reflect the capacity-to-pay principle. Many States are also of the view that this principle should be adhered to by all Member States of the United Nations. An ultimate decision on the two scales should be based on consultations by the members of the United Nations.

My colleague Ambassador Holbrooke has been exerting tireless efforts to that end, a fact well known throughout the Organization. I have full sympathy for the very difficult task that has been entrusted to him by the United States Congress. Despite all his efforts, many difficulties remain. I believe Ambassador Holbrooke needs the support and assistance of the Congress to overcome those difficulties.

I have also taken note of the views expressed by Ambassador Levitte. Achieving consensus requires that all sides demonstrate flexibility. I agree with Ambassador Levitte's view.

The next two weeks will therefore be a very crucial period. The Chinese delegation is willing to

work with other delegations. It is regrettable that, regardless of what happens, Ambassador Holbrooke will one day leave the United Nations. Of course, I hope he will do so in a very happy mood and with a smile on his face.

Mr. Ahmed (Bangladesh): Let me begin by extending a hearty welcome to Senator Biden, who is here with us today. Allow me also to thank Special Representative Jacques Paul Klein for his comprehensive briefing on the current situation in Bosnia and Herzegovina. The information he provided has been very helpful.

Against a backdrop of visible and encouraging signs of peace taking root in Bosnia and Herzegovina, the Security Council acted last June to extend the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) until 1 June 2001.

We note that the security situation has, to a large extent, stabilized; that the return of refugees and internally displaced persons is accelerating; and that elections have been conducted safely and successfully. The Special Representative of the Secretary-General suggested in the background information he gave that the end of 2002 should be the target date for the completion of UNMIBH's core mandates. In that context, we would like to make the following points.

I would first like to speak about overall progress. Progress in Bosnia and Herzegovina is linked to the region's development. With the changes in the political leadership in Croatia and the Federal Republic of Yugoslavia there have been significant new developments in the region this year. We are encouraged by the positive developments, and we hope that much faster progress will be achievable.

Secondly, I wish to mention State border services. The inauguration of the State Border Service at Sarajevo airport in June this year was a much awaited development. We have noted its usefulness and positive effects from the report of the Secretary-General. However, we are concerned that due to a lack of funding, the State Border Service cannot be extended beyond the current four points to the other eight points planned. As Bosnia and Herzegovina has become a major transit point of illegal migration, there is an urgent need to expand the State Border Service to assert control over trafficking in human beings and trade in illicit goods.

Thirdly, I wish to refer to refugees and internally displaced persons. We are encouraged by the accelerated return of refugees — including minorities — to their pre-war homes and the solving of a large number of property return and repossession cases. We appreciate the role of UNMIBH in supporting the return process. We note with concern that refugees and internally displaced persons are returning only to find that their homesteads have been destroyed or rendered uninhabitable during their absence. To sustain the current pace and increase the rate of return, the reconstruction of destroyed villages must be undertaken. This requires increased funding and support from the international community.

Fourthly, I wish to speak about the judiciary. The judicial system assessment programme (JSAP) of UNMIBH has produced a useful analysis and recommendations for improving the judiciary of Bosnia and Herzegovina, which was one of the Mission's major mandates. We believe that its report and recommendations will be invaluable in addressing the structural and procedural weaknesses, and that they will contribute to the improvement of the overall judicial process, including the independence of judges and prosecutors in Bosnia and Herzegovina.

Finally, we take note the signs of progress in Bosnia and Herzegovina, although the pace of that progress has been painfully slow. However, we would also like to keep in mind that it is extremely difficult to overcome age-old inter-ethnic tensions and come together in a useful partnership for nation-building after a series of major crises. We give much credit to the Bosnian leadership and the international community for whatever progress has been achieved. We believe that it will now be possible to pursue the goals at a much faster pace with the change in the political situation in the region.

Mr. van Walsum (Netherlands): My delegation would also like to welcome Senator Biden. We share the views expressed by the representatives of France and the United Kingdom, but we also share what Ambassador Greenstock termed the United States Congress' fundamental intentions with regard to United Nations reform. It is precisely because we do so that we always find it encouraging to hear Senator Biden admit that he is aware that a Member State of the United Nations cannot legally attach conditions to the payment of its financial contributions to the Organization.

We also welcome Mr. Klein, and we thank him for his interesting briefing. In that regard we subscribe to the statement of the representative of France, which was made on behalf of the European Union (EU). But because this is presumably the last time that the Netherlands can speak on this subject while on the Security Council, we would like to make a few additional comments.

Five years after Dayton we can only conclude that despite generous foreign aid, to the tune of $5 billion, both the political and the economic situations of Bosnia and Herzegovina are disconcerting. Senator Biden spoke of a strikingly positive reality: that is, Bosnia is at peace. Well, there is no more fighting, and the security situation is generally good. But the animosity among the three population groups has hardly subsided since Dayton. People are daily reminded of the war in a country where the borders of the entities reflect the military frontlines of 1995.

The Dayton Accords have granted important powers to the two entities. Among them, there is little willingness to cooperate to build strong State institutions. The recent elections, held on 11 November, were disappointing, in that they underlined how Bosnia and Herzegovina is divided along ethnic lines. Croats even took the opportunity to hold an illegal referendum about possible independence for their entity.

If I am not mistaken, I believe that in this Chamber, whenever Bosnia and Herzegovina is being discussed, most of the criticism is usually levelled at Republika Srpska. But the events I have just referred to, including the election results, have highlighted the unhelpful role played by the Croat side. It is difficult to be optimistic if only the Muslim population seems to take the State of Bosnia and Herzegovina really seriously.

Under Dayton the entities have received so many powers that the State institutions, such as the Prime Minister and the six ministries, are almost powerless in the face of regional ambitions. There is no political will among the leaders of the large parties to reinforce the institutions of Bosnia and Herzegovina.

The major problem, as we see it, is the virtual absence of State revenue. The State depends on financial transfers from the entities, and the entities keep these to a minimum. As a result, the State institutions are almost entirely financed by the international community.

The EU statement ends with a reference to considerable challenges that remain. I would like to conclude my statement with the same words.

Mr. Jerandi (Tunisia) (*spoke in French*): I would also like to welcome Senator Biden here among us, and I want to welcome Mr. Jacques Paul Klein, the Special Representative and Coordinator of the United Nations Operations in Bosnia and Herzegovina, and to thank him for his detailed and enlightening presentation. We are gratified that the report of the Secretary-General on the activities of the United Nations mission reflects that significant progress has been achieved in different fields during this recent period.

The positive evolution of the situation throughout the Balkans, as well as the tangible progress made in the principal areas of the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), allow us to approach this issue with guarded optimism for the future of the region.

I want to congratulate UNMIBH on the plan of work it has just prepared. The six main programmes faithfully reflect the concern of the international community regarding the implementation of the Mission's mandate. In this respect it is worth emphasizing the need to involve all the parties in the development and implementation of this plan of work. The flexible and evolving nature of the document makes it possible to adjust the plan as necessary, on the basis of how the situation develops. It will also make it possible to assess, in accordance with the pre-established criteria, the progress that has been made, in order to optimize results. We support the UNMIBH programme, including the opinion of the Mission regarding the reduction in the personnel of the International Police Task Force.

The reform and restructuring of the police are essential in order to overcome fear and make it possible to build a multi-ethnic society. In this context, we support the efforts of UNMIBH to raise the norms of professional competence of the police and to modify its ethnic composition, so that it better reflects the multi-ethnic nature of Bosnian society. We also support the plan for establishing a single chain of command in the police organization chart, thus limiting political and partisan interference and promoting full respect for the law. We also want to express our concern at the

magnitude of the scourge of organized crime. We call for the taking of all necessary measures in order to put an end to these activities.

The independence and the impartiality of the judicial system are of primary importance to establishing confidence among the three Bosnian communities and to promoting national reconciliation. In our view, the reform of the judicial system should lead to the independence of judges, the protection of witnesses and the unified, integral and non-discriminatory application of legislation. In this connection we welcome the establishment of the Independent Judicial Commission charged with reforming the judicial system, coordinating international aid and designing specific programmes for the training of judges.

While we are gratified by the return of so many refugees and displaced persons, we must emphasize the lack of financial resources available to UNMIBH so that it could respond to the needs of refugees and displaced persons — in particular by continuing to rebuild damaged housing. The Office of the United Nations High Commissioner for Refugees estimated that, as of last August, 18,000 housing units would have to be rebuilt in order to continue the repatriation process. We also encourage UNMIBH to persevere in the strict application of property laws and to continue to ensure the security of the repatriated persons.

I would like, lastly, to reaffirm our support for the remarkable work that has been done by the United Nations agencies in Bosnia and Herzegovina. The programmes begun by these agencies will certainly have beneficial consequences for the overall process. In this respect, I would like to place special emphasis on the initiative of the United Nations Educational, Scientific and Cultural Organization to promote dialogue and interfaith tolerance, involving the leaders of the four major religious communities in the preparation of a project to reconstruct historic religious sites.

The inauguration of the commemorative monument and the permanent burial of the victims of Srebrenica will remain forever engraved in the memory of all Bosnians as a painful reminder of the past. It will be evidence of a new national reconciliation and a symbol of the triumph of reason over folly and of love over hatred for future generations.

In conclusion, may I pay tribute to all of the personnel of UNMIBH for their continuing dedication to the cause of peace in Bosnia and Herzegovina.

Mr. Ward (Jamaica): My delegation welcomes the presence of Senator Joseph Biden in the Security Council. His presence here today no doubt underscores his support for the United Nations and for improved relations between this invaluable Organization and the United States Government, in particular the United States Congress.

My delegation shares the views he expressed on issues related to peacekeeping and the need to ensure the credibility of United Nations peacekeeping operations. Jamaica fully supported the action taken by the Security Council in adopting the recommendations of the Brahimi report. We support the implementation of these recommendations.

As stated by Ambassador Levitte, an increase in the United Nations budget is a requirement for successfully implementing the Brahimi recommendations. At the same time, we must ensure that there is no reduction in development aid as additional resources are targeted to peace operations. We must recognize that this issue is one of major concern to the wider membership of the United Nations.

The report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (UNMIBH), which is before us, provides a clear overview of developments since the report of 2 June. My delegation supports the work of the United Nations Mission in Bosnia and Herzegovina and commends Mr. Jacques Paul Klein for his work as the Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina. I thank him for his report and for his advocacy for peace in the region.

My delegation recognizes that while progress has been slow, much has been achieved in nation-building and in seeking to create a society based on peaceful multi-ethnic coexistence and multi-ethnic institutions. We continue to attach importance to the full implementation of the New York Declaration, which was adopted on 15 November 1999.

UNMIBH's comprehensive Mandate Implementation Plan provides a clear focus for the fulfilment of the Mission's mandate by the end of

2002. We hope that its implementation will be successfully completed. The Plan focuses on what we regard as the critical core areas of police reform, police restructuring, police and criminal justice cooperation, institution-building and inter-police-force cooperation, public awareness and general support for the participation of Bosnia and Herzegovina in the United Nations system, in particular United Nations peace operations.

Of fundamental importance is the fact that these programmes focus on various areas of law enforcement, particularly the individual police officer, organizational structures of the police force, and the required support for democratic policing. We commend the efforts of UNMIBH in establishing a law enforcement Registry and a police training programme aimed at raising basic standards of competence.

Police restructuring is another area in which we recognize that concerted efforts have been made to rationalize the size, structure and resources of the police force to bring it in line with international standards. The UNMIBH police commissioner project and the efforts made to change the ethnic composition of the police force must continue to receive priority attention. While we are cognizant of the challenges, these efforts must continue.

The entrenchment of the rule of law is contingent upon cooperation between the police and the criminal justice system. The judicial system assessment which was undertaken has been an invaluable avenue for examining some of the deficiencies in the legal and judicial system. These recommendations must be given serious consideration in order to find a remedy for some of the deficiencies in the system.

We are concerned about the absence of mechanisms for the protection of judges and witnesses, as this remains a major impediment to the full establishment of the rule of law. The lack of funding has served as a further impediment, and we hope that this will addressed in an expeditious manner. The same applies to the underfunded State Border Service, which is also of great importance to the stability of the region.

UNMIBH's programme, with its strong concentration on law and order and the justice system, two important pillars for the building of a democratic society, is important in the peace-building process in Bosnia and Herzegovina. We also attach importance to the joint activities of the United Nations system in Bosnia and Herzegovina. UNMIBH's collaboration with the United Nations Development Programme in mine action and with the Office of the United Nations High Commissioner for Human Rights in the area of trafficking in human beings is of extreme importance. This contributes to advances in a number of areas which will ultimately benefit the people of Bosnia and Herzegovina.

The role of UNMIBH in peace implementation and in assisting the parties to establish the foundations for peace is critical. Jamaica supports UNMIBH's work in helping to create the foundations of effective and sustainable democracy. We encourage UNMIBH to continue to work, in collaboration with the people of Bosnia and Herzegovina, to create a multi-ethnic society based on peaceful coexistence. The authorities and the people of Bosnia and Herzegovina have a major role to play in this regard, and we encourage them to do so.

Finally, recent democratic developments, particularly in Yugoslavia, have set the stage for regional stability. The international community must take advantage of these opportunities to advance the peace process in Bosnia and Herzegovina. The Security Council must continue its role in this process. Jamaica will continue to participate in any constructive effort in the Council to support this endeavour, and we urge the international community to respond to Mr. Klein's plea for the necessary resources.

Mr. Hasmy (Malaysia): Like other members, my delegation extends a warm welcome to United States Senator Joseph Biden and thanks him for his remarks.

We are gratified at the reiteration of the strong commitment of the United States to the United Nations and look forward to the resolution of the issue of the two scales on the basis of the necessary compromise and flexibility on the part of Member States, as well as on the basis of principles such as the capacity to pay. We are confident that, given the strong commitment of the United States towards the United Nations, which has been demonstrated in many areas of the work of the United Nations, including the important area of peacekeeping, an amicable solution is possible.

My delegation also welcomes Mr. Jacques Paul Klein, the Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina, back to the Council, and we thank him for his comprehensive, candid and

extremely useful briefing. My delegation is also grateful to the Secretary-General for his latest report on the United Nations Mission in Bosnia and Herzegovina (UNMIBH).

Five years after the signing of the Dayton Accord, its implementation continues to required the sustained support and active engagement of the international community. We are gratified that much has been achieved during this period. The main pillars of international assistance in Bosnia and Herzegovina — namely the Stabilization Force (SFOR), the Office of the High Representative and UNMIBH — continue to play pivotal roles in their respective areas of the implementation of Dayton. We note that their work has not been easy and that progress in the peace implementation process has been frustratingly slow and difficult.

My delegation wishes to take this opportunity to affirm once again our full support for Mr. Klein's leadership and to commend the efforts of the Mission to further consolidate the development of the foundations of effective, democratic and sustainable law enforcement agencies in Bosnia and Herzegovina.

We note that some of the measures that UNMIBH has implemented through the targeted and more inclusive concept of operations have begun to bear fruit and that the Mission has made additional progress in many core mandate areas. In this regard, we fully support the development of a comprehensive Mandate Implementation Plan, which sets specific targets, projects and time-frames for the implementation of the six core programmes. We believe that it is a step in the right direction.

Clearly, as was stated by Mr. Klein, the success of the whole project depends very much on the provision of adequate resources and on the cooperation of the parties concerned. We earnestly hope that the urgent appeal of the Secretary-General to Member States to contribute to the funding of the priority projects of UNMIBH and to the Trust Fund for the Police Assistance Programme will be met. We would add that resources may be contingent upon the attitude of the parties to working with UNMIBH in the implementation of its mandate.

We regret that the continued political and administrative obstructions by certain quarters in some parts of UNMIBH's area of operation have been the main cause of delay in the work of the Mission. Political obstructionism and interference with the implementation of the peace process in Bosnia and Herzegovina cannot be tolerated. The cooperation and constructive role of political leaders are of paramount importance and without them the international community's efforts will not be successful. We will therefore not tire in urging the parties concerned to demonstrate their commitment and to cooperate with UNMIBH in the establishment of an effective, democratic and multi-ethnic police force and judiciary in Bosnia and Herzegovina.

The UNMIBH judicial system assessment programme (JSAP) has carried out important work that can contribute significantly to the ongoing efforts to reform the Bosnian judiciary. My delegation strongly supports the continuation of this work and underlines the need for concrete follow-up actions in this area. We therefore welcome the establishment of the Independent Judicial Commission, which will lead the implementation of the judicial reform programmes. We hope that the Commission will be able to start its work as soon as possible and we support the idea that UNMIBH will assist it even after the mandate of the JSAP has been completed. This will ensure continuity in the work of the JSAP and the Commission.

We are gratified that the Border Service has been consolidated and will soon be fully deployed. This, and the establishment and integration of multi-ethnic police in both entities — the Federation and Republika Srpska — must continue to be strongly pursued. We particularly note in this context the increased illegal migration and trafficking in human beings, which have become a major problem in Bosnia and Herzegovina. We believe that the full deployment of the State Border Service and increased cooperation between the two entities' police forces — such as through the Joint Entity Task Force — will have to address this problem.

We welcome the success of UNMIBH's project to form a Bosnia and Herzegovina police contingent for a United Nations peacekeeping operation and the subsequent deployment of 26 Bosnian police officers in East Timor. It is also encouraging that preparations are already under way for the establishment of a military peacekeeping contingent of Bosnia and Herzegovina for a similar purpose.

My delegation is also encouraged to see the recent increase in minority returns, which, according to rough estimates, are more than double the number of

such returns in the same period last year. We appreciate the contribution of the Office of the United Nations High Commissioner for Refugees in this regard. However, we note that the overall return process remains slow. Further determined efforts should therefore be made to promote the return process.

The refugee problem is, of course, at the heart of the existing insecurity situation, due to the absence of law and order and to political and administrative obstruction. This underscores the need for more robust efforts by the local police to help create a safe and secure environment, the provision of sufficient funding for the reconstruction of destroyed villages and the creation of employment and economic opportunities.

At the same time, political and administrative obstruction of the return process must be addressed effectively. We note with concern that the implementation of property legislation in certain areas, particularly in eastern Republika Srpska and the Croat-controlled municipalities of Herzegovina remains dismal, mainly due to political and administrative obstruction.

The continued emphasis on the reconciliation process must remain a high priority for international efforts in Bosnia and Herzegovina. The consequences of ethnic cleansing and crimes against humanity in the country must be addressed through justice. We reiterate the importance we attach to the work of the International Criminal Tribunal for the Former Yugoslavia in Bosnia and Herzegovina, which the international community should continue strongly to support.

In his report, the Secretary-General has highlighted the threats posed by the continued presence of war criminals and war crimes suspects not only to the peace process, but also to international personnel in Bosnia and Herzegovina. The arrest and prosecution of all indicted war criminals not only serve to mete out justice, but also contribute towards accomplishing the long-term goal of national reconciliation in Bosnia and Herzegovina. That is why my delegation has stressed time and again the importance of bringing to book the leading war criminals Karadzic and Mladic.

We also believe that the work being undertaken by the United Nations Educational, Scientific and Cultural Organization in the reconstruction of historic religious sites and the efforts of the High Representative and of the Special Representative of the Secretary-General to assist the families of the victims of the Srebrenica massacre will go a long way towards promoting reconciliation.

Mr. Kuchynski (Ukraine): I would like to join previous speakers in warmly welcoming Senator Biden and in thanking him for his encouraging remarks on future cooperation between the United States and the United Nations.

I would also like to thank Mr. Klein for his very comprehensive briefing. We welcome the report of the Secretary-General on this subject.

The day after tomorrow will mark five years since the signing in Paris of the General Framework Agreement for Peace, which, to a large extent, remains a blueprint for lasting peace and a better future for Bosnia and Herzegovina. Over the past years, the people of that country, assisted by the international community, has come a long way towards reconciliation, the creation of a common democratic State and economic reconstruction. Despite the undeniable positive changes in that country, much has yet to be done to ensure the realization of the goals set forth in Dayton and Paris.

My country is of the view that the United Nations Mission in Bosnia and Herzegovina (UNMIBH) continues to make a vital contribution to the overall efforts of the people of Bosnia and the international community aimed at the full implementation of the Dayton/Paris Peace Accords. Against this background, my delegation remains supportive of the activities of the Mission, conducted jointly with other bodies and agencies of the United Nations system on the ground.

We recognize the special role of the International Police Task Force (IPTF) as the core part of the Mission in establishing effective law enforcement agencies in accordance with the best international standards. The professionalism of the IPTF staff, who continue to discharge their mandate under the difficult circumstances of the reduction of the authorized strength, which is mainly due to the additional requirements for Kosovo, should be acknowledged.

My delegation is satisfied with the results of the Mission's activities for the past six months and commends Mr. Klein and his staff for a number of important achievements made over this period. Specifically, we welcome the elaboration of a comprehensive Mandate Implementation Plan with a

proposed timetable of December 2002 for the completion of the core mandate of UNMIBH. In our view, the division of the Mission's work into six core programmes is a correct and efficient approach to accomplishing the existing mandate.

In the context of the police reform, we recognize the importance of the United Nations Mission project on the establishment of a transparent Law Enforcement Personnel Registry, and encourage it to pursue its efforts in this direction. As regards the police restructuring, of particular significance in our view are all steps by the United Nations Mission to change the ethnic composition of the police forces in the country so that they better reflect the society they serve and are of a multi-ethnic character.

In the field of cooperation between the police and the criminal justice system, my delegation believes that more attention should be paid by the Mission to the establishment of a court police service in order to provide adequate court and judicial security, as well as mechanisms for the protection of judges and witnesses.

My country is concerned at the increase in illegal migration and human trafficking through Bosnia and Herzegovina. This problem can be addressed through the expansion of the State Border Service, provided there is sufficient funding. We note the support provided to Bosnia and Herzegovina in this regard by the international donors, and encourage them to continue their contributions.

My delegation views also as a real achievement the deployment in East Timor of the first United Nations civilian police contingent from Bosnia and Herzegovina.

In conclusion, let me say a few words about the general situation in Bosnia and Herzegovina in a broader context. We share the view that Bosnia and Herzegovina today is at an important crossroads in its history, five years since Dayton and after the third general elections, held on 11 November, the first in a new political environment brought about by the positive democratic changes in Croatia and Yugoslavia.

In these conditions, it is critically important for the new leaders of Bosnia and Herzegovina to, so to speak, catch the winds of change and set the country on the right course for its future in Europe — to become a part of all regional processes of Euro-integration and to have its bilateral relations with its neighbours normalized. In this respect, we welcome the Declaration of the European Union-Western Balkans Summit held recently in Zagreb.

My country is encouraged by the decision of the Bosnia and Herzegovina Presidency to establish diplomatic relations with the Federal Republic of Yugoslavia. This decision is obviously an important step towards reaching the objectives of the Dayton Agreement and strengthening the democratic changes in Yugoslavia. We also note with satisfaction the further development of constructive bilateral relations between Croatia and Bosnia and Herzegovina on the basis of their commitments to the fulfilment of the Dayton Accords, mutual respect for sovereignty and territorial integrity.

For its part, the international community, with the United Nations Mission at the forefront, should continue its assistance to the people of Bosnia to create and assume their full responsibility for their own sovereign and multi-ethnic State. As an IPTF contributor and member of the Peace Implementation Council, Ukraine remains fully committed to that task.

Mr. Heinbecker (Canada) *(spoke in French)*: Canada is pleased to welcome Ambassador Klein to the Security Council today. We thank him for his briefing and for his excellent contribution to Bosnia and Herzegovina since his last report on 2 June. In particular, we are encouraged by his efforts in the areas of police reform, police restructuring and cooperation between the police and the judiciary, as well as with regard to the State Border Service.

(spoke in English)

We particularly want to express our appreciation to the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for its contribution to judicial reform through its now concluded judicial system assessment programme (JSAP).

We commend the preparations Ambassador Klein is making for the fulfilment of the United Nations mandate by December 2002. We are mindful of the Dutch observation that there can be no exit without strategy. At the same time, we recognize that the successful conclusion of a mission is often the least glamorous but most difficult part of an operation.

Of course, the need for international technical assistance will not end with the United Nations Mission, even if it can be concluded in two years' time.

We count on the Organization for Security and Cooperation in Europe and the North Atlantic Treaty Organization to continue to assist in getting Bosnia and Herzegovina irrevocably on the road to normalcy and membership in the European Union. As current commanders of Sector Southwest, we are particularly aware of the importance of continuing peacekeeping operations in Bosnia and Herzegovina.

We commend the United Nations Mission's success, particularly in making the police an example to their communities. Two specific examples are the vacating by police of illegally occupied properties and the inclusion of minority officers; 225 minority recruits have graduated thus far and 321 are in training. These steps enable the police to reflect their communities — the sine qua non of their credibility — and to encourage people to return.

We will continue to support the work of the International Police Task Force (IPTF), and bilaterally continue our contribution to the common effort through programmes such as our Royal Canadian Mounted Police (RCMP) police training assistance programme.

Finally, on the issue of Bosnia and Herzegovina, I second what the Malaysian Permanent Representative said with respect to bringing war criminals to justice. There will be no closure in Bosnia and Herzegovina until these war criminals — Mladic, Karadzic and their supporters in Bosnia and Herzegovina and elsewhere in the Balkans — are brought to justice in The Hague.

Senator Biden, I would also like to address some comments to you. You can see that I have a lot of paper here — I have two different speeches.

Like every Canadian, I am a student of United States politics. It is necessary for us; it is part of our survival strategy. We realize that you are and have been for a long time an ally of the United Nations and the reform effort here. We paid particular attention to your welcome remarks on the regular budget and the peacekeeping scale, and I noted them down, particularly the words regarding a two-way street: the United States will pay its arrears in exchange for United Nations reform.

Regarding your concern that United Nations reform efforts may fail, we think that the Helms-Biden legislation was an important step forward, and the United States is recognizing its legal and financial obligations to the United Nations. All of us around this table want reform. Some of us would have preferred a less arbitrary and a less unilateral approach to the way in which this reform effort was handled by the United States, but we regard it as a step forward.

On the scales issue, Canada is prepared to be helpful and to look at all proposals on their merit. I have been speaking with Mr. Holbrooke on this issue. He has been meeting around the clock, as far as I can tell. I think that success is possible and that reform is possible.

We appreciate in this regard the United States increase in its voluntary contributions to the United Nations system. For those among us who are looking for something that they can tell their own legislators and their own taxpayers about why we should go along with a proposal which, on the face of it, is not fair, the answer is surely in the argument made by the United States delegation — that, in fact, one should look not at what the United States must pay, but at what the United States voluntarily pays, and take comfort from that significant difference.

While, as I said, Canada is prepared to participate constructively, we do not accept, however, a unilateral decision to write off unpaid arrears. Fifty cents on the dollar will not work. We believe that it is important for the United States to state clearly that it intends to pay its arrears in full, and I was very much encouraged in that sense by the comment that was made at the outset.

I should also like to add a word on the Brahimi report to support the sentiment expressed. We in Canada believe reform of the peacekeeping operations is probably the most important thing that can be done in the United Nations in the months ahead, and, in fact, it is probably decisive to the future viability, in some important sense, of this Organization.

Not all countries see it in that light. Not all countries see the same need for reform that we do, but like you, we do not believe that there is a trade-off between development and peace and security. If anything, we think that the relationship is the reverse.

We also do not think that it is necessary to choose between those countries that stress development and those countries that have a need for security. Both of those issues have to be taken care of. There is no trade-off there to be made.

We particularly think that some deep thought needs to be given to the idea of peacekeeping reform.

The current system is a recipe for failure. I recognize that the North Atlantic Treaty Organization (NATO) is not a model to be held up in these precincts, but there are one or two things that NATO does very well when it decides to dispatch forces abroad: it makes no distinction around the table between those who are contributing troops and those who are in the equivalent of the Security Council, because in fact they are the same people. It is just not conceivable that troops would be dispatched abroad by a Council which was independent from, and unattached to, those who were contributing troops. We have to think hard how to correct that situation in this Organization. The troop-contributing countries have a serious complaint, and that needs to be addressed. We need to think again about how this is done.

I am mindful that in the abortive Zaire intervention that Canada was to head in 1996, we made a great effort to try to create a political oversight committee which was going to comprise troop-contributing countries and Security Council members to the extent that they were not the same, and they were not always the same. I am not sure what happened to that idea, but I note that I do not see it actually functioning in Sierra Leone or with respect to the Congo, Ethiopia/Eritrea or even East Timor.

There needs to be a way whereby troop-contributing countries participate in the decision to send forces abroad, in the conduct of the operations involving those forces abroad and in the political and military guidance that the commanders get in the field. I think that until we actually deal with that issue in a constructive and innovative way, we are going to continue to have difficulties between troop contributors sitting in one room down the hall and Security Council members in another.

Mr. Ouane (Mali) *(spoke in French)*: I also wish to warmly welcome Senator Biden to this Security Council meeting. I took note of and appreciate the fact that today, as in January, when the members of the Security Council visited the Senate, Senator Biden echoed the concerns that we all share.

On the situation in Bosnia and Herzegovina, I wish to make the following brief comments.

First, my delegation highly appreciates the report of the Secretary-General of 30 November. I also wish to thank Mr. Jacques Paul Klein, Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina, for his complementary and very detailed statement.

Secondly, my delegation highly appreciates the progress made by the United Nations Mission in Bosnia and Herzegovina (UNMIBH) with a view to building a modern, democratic, tolerant society in that country as mentioned by all the speakers following Mr. Klein's presentation. I want to commend the positive contribution made by the United Nations Mission to implement peace in Bosnia and Herzegovina.

In this respect, my delegation is pleased at the establishment of effective, democratic and lasting institutions. Likewise, we welcome the remarkable and resolute work of the International Police Task Force. Along the same lines, we are pleased at the presence of the Stabilization Force (SFOR).

Thirdly, the considerable progress made deserves to be consolidated. In this connection, we invite the international community to continue to provide financial support to UNMIBH until the expiration of its mandate in December 2002.

Fourthly, I wish to comment on the prospects of the region at large. In this respect, we are pleased with the climate of detente that now prevails in that region following the historic changes in the Federal Republic of Yugoslavia and the changes in Croatia at the beginning of this year. We invite the parties to avail themselves of this improvement in order to establish strong relations of confidence, and we hope that the recent visit of President Kōstunica to Sarajevo will have contributed to the establishment of such relations.

Mr. Theron (Namibia): My delegation is grateful to you, Mr. President, for convening this important meeting. Like others, we also welcome the presence of Senator Biden and thank him for sharing his Government's views on the two scales of assessment. I would also like to thank the Secretary-General for providing us with his comprehensive report on the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and Mr. Jacques Paul Klein, Special Representative, for his timely briefing.

Namibia continues to support the implementation of the peace process in Bosnia and Herzegovina. In this regard, we note with appreciation that all UNMIBH units have participated energetically in the development of a comprehensive Mandate Implementation Plan, which provides a clear focus for

the fulfilment of the core mandate by the end of 2002. We indeed understand that this Plan provides a road map for the implementation process rather than establishing fixed targets.

Today, we are encouraged to learn from the Special Representative that much has been achieved in the rebuilding of Bosnia and Herzegovina. We also note, however, that many challenges remain.

My delegation has been following with keen interest the core programmes, in particular police reform and police restructuring, as well as the cooperation between the police and the criminal justice system. Although we understand the problems involved, the slow pace of judicial reform has been of concern to us. I refer, for example, to the absence of a mechanism to protect judges and witnesses in an environment where organized crime and corruption undermine the rule of law. All these problems require the continued presence and assistance of the international community in Bosnia and Herzegovina.

In conclusion, I would like to express my delegation's appreciation to the personnel of UNMIBH, the International Police Task Force (IPTF) and other international institutions for their hard work and dedication to the cause of building a multiracial and democratic Bosnia and Herzegovina.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

I am grateful to the Special Representative of the Secretary-General and head of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), Jacques Paul Klein, for his comprehensive briefing. It is important that, despite the notable progress in UNMIBH's activities, he focused not on the success story, but on the problems that remain in implementing the Dayton and Paris Agreements. I welcome this businesslike approach to the subject. He is a good example to other Special Representatives in other United Nations operations, including in the Balkans, who are trying to conceal their problems and mistakes and who describe the entire situation through rose-coloured glasses, despite the well-known facts. Fortunately, we hope that the period of assignment of those who cannot or do not want to discharge the Security Council's mandates will soon end.

We thank the Secretary-General for his report, which on the whole objectively reflects the implementation of the Mission's important mandate. Its interim outcome is encouraging, particularly in the context of the rather modest successes of the collective efforts of other institutions to provide real stability in Bosnia and in each of its entities. We note the effective actions of the national police forces in keeping order during the November elections.

We commend the activities of Mr. Klein's Mission, which seek to focus the efforts of its personnel on discharging the Mission's core mandate by the end of 2002. We also agree with the recommendation in the Secretary-General's report that the strength of the International Police Task Force (IPTF) be reduced for the period 2001-2002 to 1,850 personnel.

I agree with my colleagues' view that the basic component for stability in Bosnia and Herzegovina is the Dayton Peace Agreement, which takes into account the different, at times, conflicting interests of the three Bosnian peoples and neighbouring States, primarily Yugoslavia and Croatia. Dayton laid the foundation of Bosnian statehood on the basis of the existing two equal entities and the three peoples emerging into statehood. We believe that any arbitrary interpretation of the mandate of the international structures is inadmissible. Any revision of the Dayton Agreement will inevitably lead to upsetting the balance of interests. This could lead to new tension in Bosnia and beyond its borders.

We are convinced that only by basing ourselves firmly on the Dayton Agreement, Security Council resolutions and other international documents to settle the situation in Bosnia and Herzegovina can we move forward. Only on this basis can we carry out the task of strengthening multi-ethnic statehood there, observing the rights of all peoples in Bosnia and achieving real reconciliation and post-conflict peace-building.

Until all these tasks have been done, the international community has no right to be complacent. It is important to ensure that the leading political forces of Bosnia and Herzegovina shoulder their responsibility for their country's fate and for resolving the remaining problems, as they undertook to do in the New York Declaration, which was adopted by the joint Presidency of Bosnia and Herzegovina. We also call upon them to improve cooperation between the two

entities, and cooperation not only between each other within the general Bosnia and Herzegovina organs, but also with international structures in the country.

With regard to the work of the International Tribunal for the Former Yugoslavia, I wish once again to reaffirm our position. We must eliminate politicization and short-term expediency from its work and bring its activities into strict compliance with the Tribunal's status and the decisions of the Security Council. We must end the practice, which goes beyond the mandate of the Stabilization Force in Bosnia and Herzegovina, of using force to track down indictees on the basis of so-called sealed indictments of the Tribunal. We look forward to Council members' having a text of the so-called secret agreement between the Tribunal and the North Atlantic Treaty Organization (NATO). Carla del Ponte, the Prosecutor of the Tribunal, decided recently to state publicly that the agreement did not exist. But we all know, as she does, that she was not telling the truth. A judiciary has to be based on the truth. It is time to review the Tribunal's activities in general, in the light of the basically new situation that is emerging in the region, in keeping with the Russian proposals. Those proposals are well known, and we will continue to discuss them.

The latest events in the Federal Republic of Yugoslavia will have a positive impact on the situation in Bosnia. I am certain that an added impetus to this positive process will be given by the establishment of diplomatic relations between Bosnia and Herzegovina and the Federal Republic of Yugoslavia, as well as by the statement of the President of Yugoslavia, Mr. Koštunica, regarding his commitment to the Dayton Peace Agreement.

For its part, Russia will make a constructive contribution to resolving the remaining problems on the Bosnian settlement agenda and towards the establishment of Bosnia and Herzegovina as a unified multi-ethnic and democratic State.

I also wish to state that the entire history of peacekeeping efforts in Bosnia reflects a number of general problems that must be discussed within the context of United Nations peacekeeping activities as a whole. Eliminating these problems is the focus of the Brahimi report (S/2000/809), which the Russian Federation supports.

It is also clear that, in order to enhance the effectiveness of United Nations peacekeeping operations, we need a solid financial basis for it. In this context, we attach particular importance to efforts being made to reach agreement on reform of the scale of assessments. We have already had an opportunity to welcome Senator Biden, who set forth the United States approach to this problem and pointed out some specific features inherent to that approach with regard to the position of the United States Administration on the one hand and various viewpoints in Congress on the other hand.

The Russian Federation has adopted and will continue to adopt a constructive position in its approach to reform of the scale of assessments, including, of course, the scale of assessments for peacekeeping operations. We support the need for a generally acceptable reform of the scale, and shall fully assume our particular responsibility in this matter as a permanent member of the Security Council. The final outcome of talks on the matter, which we hope can be achieved next week, can only be a compromise based on the various positions of all the people involved in the negotiations. Russia will be prepared to take this step forward, and we expect others to take this step also.

I have completed my statement as representative of the Russian Federation, and resume my functions as President of the Council.

Would any Council members like to make a follow-up statement at this stage?

Mr. Biden (United States of America): I appreciate your indulgence, Mr. President, in allowing me to trespass more on your time, if not your patience. I also truly appreciate the candour with which all the members of the Security Council have spoken today.

I would like, in my capacity as a member of the Foreign Relations Committee and on behalf of Senator Helms, to re-issue the invitation, to which the representative of Mali made reference, to come to Washington again. We hope the Security Council would be willing to do that. It is an open invitation. We learned a great deal from the Council's presence, and members were very, very helpful to those of us in the United States Senate who are very supportive of the United Nations in making the case — a case that is obvious on its face to all members of the Council but that is less than obvious to some of my colleagues — as to why the United Nations is such an important body, particularly as it relates to the United States and

from the United States perspective. I hope members will be willing to come back. This is my second trip here in about 12 months — plus the Council's trip to Washington.

I want also to thank Council members for their collective understanding of our position. As I said once before, I apologize for having to play out before the Council our internal dilemma as it relates to our commitment to the United Nations — and that is a binding commitment and a lasting commitment. Nonetheless, there have been some bumps in the road in terms of our internal domestic politics. I also want to thank members for their statements regarding a willingness to be flexible. I assure them that I for one am inclined to be, and desire to be, very flexible.

I want Ambassador Levitte, along with the representatives of the United Kingdom and of the Netherlands, to understand that I fully appreciate the contribution of the European Union not only to the United Nations, but also to the Balkans in general and to Bosnia and Herzegovina in particular. It would be presumptuous of me to do this, but if Ambassador Levitte would like, I could send him copies of some of my floor speeches in the United States Senate making the case that the European Union is carrying the bulk of the responsibility on the ground, and economically as well. We appreciate the recognition and understanding expressed in the statements of France, the United Kingdom and the Netherlands that this may be necessary in the light of the proximity of the problem to their interests.

We also understand the burden that has been imposed — a burden that is not often recognized in the United States; we focus on our own burdens, as every country tends to do — as a consequence of the significant number of refugees that have flooded into Germany, France and many other European nations. I want to assure members that I appreciate and understand, and my Government appreciates and understands, that the bulk of the commitment is being made by the European Union.

We also want to thank those, including the representative of China and the President in his capacity as the representative of the Russian Federation, who spoke of a desire and willingness to be flexible regarding the scale of assessments. I am confident of one thing: that if there is any significant reform, there will be a significant increase in the prospect that the United States Government, and the United States Congress in particular, will not only meet its obligations, but will understand that its future lies in increasing its voluntary commitment.

I thank our Canadian friend. I am a student of Canadian politics. Both my sons are with me today. Both of them are practising lawyers, and I might add that one of them is about to commit to six months to a year in Pristina with the United States Department of Justice. Not only do we watch Canada and consider it a great friend and neighbour, but I am quick to say that my sons, on their mother's side, are related to a number of Canadians. So I appreciate the distinction made by the representative of Canada between what we are bound to do and what we voluntarily do. We appreciate that very much.

With regard to the comments made that the United States should not act unilaterally, should pay its bills in full and should not make contributions contingent on reform, I would suggest that we want both to pay our fair share and to work with others on meaningful reform. Again, as I said, I am technically speaking for my Government now, but one thing I do not do is speak for the United States Congress. There is no living human being capable of doing that; the Lord Almighty would have difficulty today. And with a 50-50 split in the United States Senate about to take place, as my grandfather would say, with the grace of God and the goodwill of the neighbours, we may very well be able to reach some consensus on these issues in our Congress. But we want to do both: we want to participate in meaningful reform and we want to pay our fair share.

In terms of the contributions to United Nations expenses being based on the ability to pay, I would suggest that an international organization of the consequence of this one cannot fully meet its potential without everyone in the organization having a significant investment in it based upon their capacity and capability; I would argue that gross domestic product is not the only basis upon which to determine that. I know that the representative of France, in his previous capacity, has heard all those discussions of the views of the United States about additional burdens it undertakes in our collective interest. I will not repeat any of them because it would be inappropriate, but will only say that we appreciate the comments relating to flexibility. I for one and, I know, my Government are

also prepared to be flexible, although I cannot speak for the entire United States Congress.

I would like to make one other point before I really do trespass on members' patience too much. I was impressed by the comments made by the representatives of Argentina, Bangladesh, Canada, Jamaica, Malaysia, Tunisia and Ukraine: all of them spoke to the report of Jacques Paul Klein. Three things impressed me very much. One was their appreciation of the report; the second was the fact that there seemed to be an overwhelming consensus that it accurately reflected what was happening on the ground; and the third was that they all seemed to suggest something that my Government feels very strongly: that there is a need for more patience, that progress has been made but that much more needs to be made, and that there must be a commitment to the practical requirements of implementing Dayton — that is, having a police force that is not corrupt and is capable; having a court system that functions; and having war criminals indicted and brought to trial. With one or two exceptions on the last point, there seems to be a pretty wide consensus here, expressed very cogently by my friend from Jamaica.

I quite frankly wish that all my colleagues in the United States Congress could have heard all members' comments and replies to Mr. Klein. One of the things that my Administration and I have been counselling our colleagues in the United States Congress is patience. We have come a long way. This is an incredible opportunity to do something that has not been done in the history of the modern nation-State in Europe: to integrate the Balkans fully within Europe. It is the ultimate solution. It is painful; it is timely. We understand, again, that most of the pain is being borne by our European friends. We understand that most of the obligation is being borne by our European friends.

I can assure members, as one member of the United States Senate and Congress — and as a senior member with some little bit of influence in that small pond called the Senate — that I believe that we will maintain United States commitment, and that we will maintain, along with the Council, patience to bring to fruition what is ultimately necessary. As a friend of mine, a local politician in my home state who has no knowledge of international affairs, said to me, "Joe, if the water does not flow because the public works commissioner is not in place, if the traffic lights do not function, and if you cannot arrest a man for beating his wife or stealing from the local shop-owner, you can have no government in place". These are very, very basic functional requirements to put in place when we separate all the high-minded rhetoric that we all utter about peace and security in the Balkans.

I want, on behalf of my Government, to thank Jacques Klein for what he has done.

I would end with a caution: I would not make any commitment that we will be out by 2002. We must stay as long as is required, because it may not be possible to go back and try to fix what would be more broken if we left, at least within the timeframe of my career. And I would like to see this end nobly within the timeframe of my career — which, if I speak much longer, will be very much foreshortened.

I thank the President and all members for their indulgence. Flexibility will be the word that I take from here and that I make sure that my colleagues understand full well.

The President (*spoke in Russian*): If no Council member wishes to take the floor at this stage, I would like to give the floor to the representative of Bosnia and Herzegovina.

Mr. Prica (Bosnia and Herzegovina): First of all, I would like to thank Mr. Jacques Paul Klein and the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for the efforts they have made and their commitment to strengthening civil society and lasting peace in Bosnia and Herzegovina. Five years after Dayton, we have seen tremendous improvements in all aspects of life in Bosnia and Herzegovina. I would especially like to emphasize the huge success in restructuring the local police, as well as the reform of the judicial system, which is on the right track. A significant number of minority returnees have also been registered across the board.

For Bosnia and Herzegovina, the main task is, of course, the creation of a self-sustaining economy, and we expect the help of international community experts to continue to contribute to the changes in our economic legislation that we desperately need. Furthermore — and here I feel very strongly — I am pleased to express our appreciation for the very positive and extremely important changes that we have seen in Belgrade in recent weeks. Of course, the changes that took place in Zagreb a year ago are also very welcome. These changes are of paramount importance for Bosnia and Herzegovina and the region

as a whole. The issues that are crucial for our region are the commitment of all States, respect for internationally recognized borders and the full implementation of the Dayton Peace Agreement, written and signed five years ago, as well as of resolution 1244 (1999). We are also sure now that the issue of the succession of the former Socialist Federal Republic of Yugoslavia will be resolved within a reasonable period of time, for the benefit of all.

I was also very pleased to see Senator Biden, a member of the United States Senate, here in the Security Council today. As a representative of the State that benefited greatly from the help of the United Nations, I should like to take this opportunity to express the hope of our people that a final agreement among Member States regarding financial contributions, the regular budget and the scale of assessments of the United Nations will finally be reached.

I would like to express my regret that the Ambassador of Bosnia and Herzegovina, Mr. Muhamed Sacirbey, is leaving his post. I have had excellent cooperative relations with him since I came to the Mission of Bosnia and Herzegovina earlier this year. Unfortunately, he was unable to come to the Council today.

Finally, I would again like to thank Mr. Klein for his work in UNMIBH, as well as the members of the Security Council and the international community as a whole for all their sincere efforts made for the sake of lasting peace and prosperity in Bosnia and Herzegovina and the region.

The President (*spoke in Russian*): No questions were addressed to Mr. Klein during the discussion, but he would like to make some concluding comments.

Mr. Klein: I should like to thank members for their generous comments, which I will relay to my colleagues in the Mission. I can assure the Council that they will be very much appreciated.

We heard a little this morning about the past record of the United Nations in Bosnia and Herzegovina and that at times we have been weighed in the balance and found wanting; that is certainly true. When the Secretary-General appointed me, he gave me one very strong directive: to rebuild the reputation of the United Nations. I thoroughly support the observations made here today by some members about how much can be done when all the members of this Council work together on the ground. Five years ago, the reputation was somewhat in tatters. Today, working together, we are respected, and we can, I think, use to great effect the unique moral and legal force of the United Nations Charter and the political neutrality of representing the nations of the world and the values they hold in common.

Having now led two United Nations missions — the first was in Eastern Slavonia, Baranja and Western Sirmium — I must tell members that the Council defines the success or failure of missions. It does so by the mandate it gives us, the resources it provides and the leadership it ultimately appoints. As I said earlier, we have a Mission that includes 93 nationalities — they represent half of the nations of the United Nations. Some 46 nations are represented in the International Police Task Force. It can be done when the Council gives us the clear guidance that we need. At the same time, I am reminded of an old proverb that my Alsatian grandmother taught me: if you start out without knowing where you are going, you are probably going to wind up somewhere else. So the Council's guidance is always essential.

In his history of civilization, the great historian Arnold Toynbee wrote that every nation, every people — indeed, every institution — has an agenda, either conscious or unconscious. Those who do not have an agenda become the victim of other people's agendas. I hope that the Council will define the agenda. Let it be the collective voice of the Council, on behalf of the international community, that defines the agenda.

The President (*spoke in Russian*): There are no further speakers on my list.

The Security Council has concluded this stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.

United Nations S/PV.4246

Security Council

Fifty-fifth year

Provisional

4246th meeting

Wednesday, 13 December 2000, 12.50 p.m.

New York

President	Mr. Lavrov	(Russian Federation)
Members	Argentina	Mr. Cappagli
	Bangladesh	Mr. Ahsan
	Canada	Mr. Angell
	China	Mr. Chen Xu
	France	Mr. Levitte
	Jamaica	Mr. Ward
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Andjaba
	Netherlands	Mr. Scheffers
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Stoffer

Agenda

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2000/1138)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-79443 (E)

The meeting was called to order at 12.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Cyprus

Report of the Secretary-General on the United Nations operation in Cyprus (S/2000/1138)

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations operation in Cyprus, document S/2000/1138.

Members of the Council also have before them document S/2000/1177, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to inform the Council that, in my capacity as President of the Council, I have met with the representatives of the parties, who have confirmed to me that they maintain their well-known positions vis-à-vis the item on the Council's agenda. On the basis of those meetings, as President, with the consent of the members of the Council, I have drawn the conclusion that the Council can proceed to take a decision on the draft resolution before it.

If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Argentina, Bangladesh, Canada, China, France, Jamaica, Malaysia, Mali, Namibia, Netherlands, Russian Federation, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

The President (*spoke in Russian*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1331 (2000).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.55 p.m.

United Nations S/PV.4247

Security Council

Fifty-fifth year

Provisional

4247th meeting

Thursday, 14 December 2000, 11 a.m.
New York

President	Mr. Lavrov	(Russian Federation)
Members	Argentina	Mr. Mársico
	Bangladesh	Mr. Amin
	Canada	Mr. Duval
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Andjaba
	Netherlands	Mr. Mollema
	Tunisia	Mr. Tekaya
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Minton

Agenda

The situation concerning the Democratic Republic of the Congo

Fifth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2000/1156).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-79721 (E)

The meeting was called to order at 11.05 a.m.

Statement by the President regarding the closing of the Chernobyl nuclear power station

The President (*spoke in Russian*): Before we take up the item on the agenda for today's meeting, I should like to welcome warmly the decision by Ukraine to close the Chernobyl nuclear power station on 15 December.

That was not a simple decision for Ukraine. It is an important contribution to regional and global nuclear security and a major step towards overcoming the destructive consequences of the Chernobyl disaster, in the interests of all the countries affected by it. We are convinced that the continued assistance and support of the international community for Ukraine's efforts are important in finding a solution to the ecological, social and economic problems associated with the closing of the Chernobyl nuclear power station.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Fifth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo
(S/2000/1156)

The President (*spoke in Russian*): I should like to inform the members of the Council that I have received a letter from the representative of the Democratic Republic of the Congo in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I welcome the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, His Excellency Mr. Léonard She Okitundu.

At the invitation of the President, Mr. She Okitundu (Democratic Republic of the Congo) took a seat at the Council table.

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the fifth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, document S/2000/1156.

Members of the Council also have before them document S/2000/1182, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw the attention of the members of the Council to the following changes to be made to the text of the draft resolution contained in document S/2000/1182 in its provisional form.

In operative paragraph 7,

(*spoke in English*)

"in Eastern provinces"

(*spoke in Russian*)

should read

(*spoke in English*)

"in the eastern provinces"

(*spoke in Russian*)

in the appropriate language versions.

Operative paragraph 8 should read as follows after "Mbandaka":

(*spoke in English*)

"in due course and, subject to the proposals submitted by him under paragraph 7 above, to other areas he may deem necessary, including possibly to Goma or Bukavu".

(*spoke in Russian*)

I should also like to draw the attention of the members of the Council to document S/2000/1186, which contains the text of a letter dated 13 December 2000 from the Permanent Representative of Rwanda addressed to the President of the Security Council.

The first speaker on my list is the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, His Excellency Mr. Léonard She Okitundu, to whom I now give the floor.

Mr. She Okitundu (Democratic Republic of the Congo) (*spoke in French*): At a time when the Security Council is about to adopt an important draft resolution on the renewal of the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), I first have the pleasure, on behalf of the delegation accompanying me and on my own behalf, of warmly congratulating you, Sir, on your assumption of the presidency of the Security Council.

We are pleased to have the representative of a fraternal country, the Russian Federation — a country with which the Democratic Republic of the Congo has long-standing relations of mutual esteem and respect — presiding over the Council on this day when the Council is to adopt a resolution that will have a significant impact on the immediate future of our country.

In all humility, I have come here to convey to the members of the Council the most cordial greetings of the Government of the Democratic Republic of the Congo and of the Congolese people, who have been so battered by a war of aggression to which they have been subjected, for more than two and a half years by an armed coalition from three neighbouring countries. Our delegation would also like to express our profound gratitude to the Secretary-General, Mr. Kofi Annan, for the remarkable and unceasing efforts he has made to try to halt the armed aggression against our country, and we salute him for the valuable contributions of his fifth report on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

Our presence here bears rigorous and sincere witness to the commitment of the Congolese Government and people — the various factions notwithstanding — to finding a peaceful, negotiated solution to the crisis that is tearing apart the Democratic Republic of the Congo and threatening the stability and development of the countries of the Central African subregion — and of all of Africa. We are convinced that part of the solution to the tragedy from which the Congolese people suffer each day lies in the hands of the Security Council, the principal United Nations body charged with the maintenance of international peace and security. And thus we here express the hope that a rapid and appropriate solution that takes into consideration the interests of the warring parties can be achieved. On the one hand, this means re-establishing the Democratic Republic of the Congo's sovereignty and territorial integrity — basic rights guaranteed by the Charter of the United Nations — as well as halting the massive and flagrant violations of human rights and the other atrocities that are being committed against the civilian population, and halting the expropriation of the country's resources, both those on the ground and those in the ground. On the other hand, this means addressing the security concerns of Rwanda, Uganda and Burundi.

At this stage of my statement, allow me to review the most recent diplomatic initiatives taken by the African heads of State in order to try to revive the Lusaka process, which is grinding to a halt as regards the realization of the principal objectives, namely withdrawing the invading forces from the Democratic Republic of the Congo's territory and ensuring the security of Rwanda, Uganda and Burundi. In fact, during these last two months the African heads of State have been engaged in intense diplomatic efforts to try to find a peaceful and speedy means of putting an end to the war that is now rampant in the Democratic Republic of the Congo.

Among these efforts, we might recall in particular the two summit meetings held in Maputo at the initiative of the President of South Africa, Thabo Mbeki, and the President of Mozambique, Joaquim Chissano; and the two related meetings, held in Pretoria, of the Ministers of Defence and the military chiefs of staff of the Democratic Republic of the Congo, Zimbabwe, Rwanda and the Republic of South Africa.

At the conclusion of the first Maputo summit, the heads of State in attendance decided that all the forces of the parties should begin to retreat from the positions indicated in the disengagement plan that was adopted on 8 April in Kampala. It should be noted that Uganda and Rwanda, as the Secretary-General emphasizes in his latest report to the Security Council, had firmly committed themselves to retreat 15 kilometres beyond the positions proposed in this plan. Rwanda had formally announced its decision to retreat 200 kilometres further, while for its part Uganda, speaking through Rwanda, committed itself at the first Pretoria meeting to retreat up to 100 kilometres.

Finally, the heads of State created a committee of Ministers of Defence and military chiefs of staff of the Democratic Republic of the Congo, Zimbabwe, Rwanda and the Republic of South Africa, and charged this committee with drafting a withdrawal plan for Rwanda and Uganda, as well as the mechanism for disarming the armed groups. This committee has met twice and has reviewed two plans, which were presented by the Democratic Republic of the Congo and Rwanda respectively. These two plans support the objectives of disengaging the forces on the ground in order to institute an effective ceasefire, of having Rwanda and Uganda withdraw from Congolese territory, of deploying a buffer force along the common borders, and of disarming the armed groups. It must be noted, however, that the two parties have yet to agree on arrangements for the sequences of agreed activities.

During the second Maputo summit, which was held last 27 November, the heads of State of South Africa, the Democratic Republic of the Congo, Zimbabwe, Rwanda, Uganda and Mozambique, and the representatives of Namibia and Angola, reviewed once again — in the company of the Special Representative of the Secretary-General and the Force Commander of MONUC — the situation in the Democratic Republic of the Congo. At the conclusion of this summit, the heads of State reaffirmed their support for the disengagement plan of Kampala and charged MONUC with supervising its implementation on the ground.

We would like to formally confirm to the Council our assurances to cooperate strictly so that MONUC could successfully carry out its mission — assurances that His Excellency Mr. Laurent Désiré Kabila, President of the Democratic Republic of the Congo, gave publicly to the Special Representative of the Secretary-General. Later, during its 29 November meeting in Lusaka, the political committee established by the Lusaka Agreement, adopted unanimously the disengagement subplans. These plans were signed by the military chiefs of staff of all the parties — but one — at Harare on 6 December 2000.

It is worth noting that, in addition to the Maputo summit, meetings were held at Kinshasa and Tripoli on 27 October 2000 and 8 November 2000 respectively. The heads of State of Angola, the Democratic Republic of the Congo and Congo (Brazzaville), as well as the Prime Ministers of the Central African Republic and Equatorial Guinea met at Kinshasa under the leadership of the President of Gabon, Omar Bongo. Condemning the harmful consequences on the neighbouring countries and the risks of igniting the entire subregion, the group asked Rwanda and Uganda to withdraw immediately from the Democratic Republic of the Congo in order to allow the Congolese themselves, without interference or foreign intervention, to find a solution to their internal political problems. In addition, at this summit MONUC was asked to play a greater role in the Democratic Republic of the Congo.

Finally, President Muammar Al-Qadhafi held a summit in Tripoli on 8 November, at which the Presidents of Rwanda, Uganda, Mali and Zimbabwe actively participated, along with representatives of Angola, the Democratic Republic of the Congo and South Africa. At the conclusion of these meetings, the participants agreed on the immediate deployment of a neutral African force which would guarantee the security of the borders of Rwanda and Uganda and which would determine the size of the armed groups currently in the Democratic Republic of the Congo, with a view to disarming them. Several countries — Egypt, Nigeria, South Africa and Libya — were even mentioned as contributors; while the United Nations would handle the management, financing and supervision of the forces on the ground.

As the Council members will undoubtedly note, the purpose of all these summits and meetings is the immediate and unconditional withdrawal of the armies of Rwanda and Uganda and the establishment of the principles of deploying neutral buffer forces along the common borders to ensure the security of Uganda, Rwanda and Burundi — while awaiting the implementation of monitoring machinery that can prevent any reoccurrence of the kind of crisis from which we are currently suffering.

It is for us, therefore, to thank sincerely and vigorously all the African leaders and other prominent individuals who worked continuously and tirelessly to restore peace in our country. Our concern is to regain our sovereignty and territorial integrity and it is essential, therefore, that the disengagement subplans be immediately implemented in accord with the three-phase schedule that was adopted at Harare, and that these plans be followed by a plan for the withdrawal of the forces of Rwanda and Uganda.

It is our duty, however, to draw the international community's attention to possible manœuvres by parties opposed to peaceful means, who could

intentionally create insecurity at the front line by relaunching the fighting so as to delay the deployment of neutral observers and United Nations troops.

The Secretary-General's report has the signal merit of seeking ways to restore lasting peace in our country. The Government of the Democratic Republic of the Congo believes that, if the crisis is to be overcome, it is necessary for the United Nations, through its Secretary-General, to become further involved, in close cooperation with the Organization of African Unity and regional leaders, in African initiatives aimed at relaunching the peace process. These African initiatives enjoy the two-fold advantage of meeting the security concerns of Rwanda and Uganda and of responding to the need to restore the sovereignty and territorial integrity of the Democratic Republic of the Congo.

In the search for peace, while it is true that the armed groups must be disarmed, the Government of the Democratic Republic of the Congo feels that it would be militarily impossible and ill-advised to undertake such action in the presence and with the active participation of the troops of Rwanda and Uganda, which could be tempted to exploit that opportunity to take reprisals against civilian Congolese who are legitimately resisting the occupation of their lands. In such circumstances, Rwanda and Uganda would become both judges and parties to the situation.

That is why the Democratic Republic of the Congo supports the procedure of deploying a neutral interposition force along the common border. In this respect, the Government of the Democratic Republic of the Congo pledges to work to facilitate the task of MONUC by ensuring its freedom of movement throughout our territory. Moreover, we are committed to cooperating with MONUC in the rapid deployment of United Nations troops and urge Rwanda and Uganda to do likewise, especially by fulfilling the provisions of resolution 1304 (2000) of 16 June 2000, which demands that Ugandan and Rwandan forces immediately and completely withdraw from Kisangani and respect the demilitarization of the city and its environs.

With respect to the inter-Congolese dialogue, we have the honour of confirming that the Head of State of the Democratic Republic of the Congo remains convinced of the need for reconciliation among the Congolese. Furthermore, the President of the Republic recently took the first steps in that direction by meeting early this month with the unarmed domestic opposition to prepare for the meeting between the Government and all Congolese opposition parties, scheduled for the second half of the month in Libreville. For us, this is an extremely important event, opening the way to national reconciliation in the Democratic Republic of the Congo. This initiative requires the financial and logistical support of the international community and the presence of neutral observers.

This is clear evidence that the Government is determined to promote the holding of an inter-Congolese dialogue in strict respect for the sovereignty and territorial integrity of the Democratic Republic of the Congo. It goes without saying that a truly Congolese dialogue can be undertaken in a valid and tranquil way only without interference from Rwanda and Uganda. Being totalitarian, those two countries are not qualified to sponsor the democratization process in the Democratic Republic of the Congo.

Lastly, we take this opportunity to announce that the President of the Republic has decided to release all so-called prisoners of conscience so as to allow all political actors to attend the gathering in Libreville. Following all the efforts made by our Government towards the emergence of genuine national reconciliation among the sons and daughters of the Democratic Republic of the Congo, it is up to the Council to bring pressure to bear on Rwanda and Uganda to leave the occupied Congolese provinces and to respond to the gathering, which is already being seen as prefiguring the inter-Congolese dialogue.

Throughout our statement, we have recalled the diplomatic initiatives undertaken by the African heads of States to break the deadlock in the Lusaka Ceasefire Agreement. The Government of the Democratic Republic of the Congo expects the immediate and unconditional withdrawal of the armed forces of Rwanda, Uganda and Burundi from its national territory. The implementation of the three phases of the timetable of disengagement subplans adopted on 6 December 2000 in Harare could be an initial decisive stage.

The deployment of an interposition force along the common borders of the Democratic Republic of the Congo, Rwanda and Uganda would best meet the concerns of all parties. In this respect, our Government supports these plans, which Rwanda and Uganda have

accepted without reservation. We therefore invite the United Nations to be further involved in all African initiatives aimed at giving new impetus to the peace process.

To that end, it is urgent that the international community, through the Security Council, take advantage of the disengagement subplans adopted in Harare by authorizing the deployment, in accordance with the agreed timetable, of neutral forces at the front line and in the Congolese border towns of Bukavu, Goma, Bunia and Uvira.

We are gratified by the excellent relations between MONUC and our Government and we take this opportunity to welcome the efforts made by the Special Representative of the Secretary-General to the Democratic Republic of the Congo, Ambassador Kamel Morjane, to restore lasting peace in our country. We express the hope that the resolution to be adopted by the Security Council contains provisions allowing MONUC effectively to discharge its mandate.

We cannot conclude this statement without paying heartfelt tribute and expressing our sincerest thanks to the outgoing members of the Security Council for their tireless efforts to restore peace in our country. Our Government and people are infinitely grateful to them and offer them all our appreciation.

We remain convinced that the new members being welcomed into the Council next month will demonstrate the same zeal and dedication to allowing our people, who have suffered so terribly in body and spirit, to recover all its dignity.

The President (*spoke in Russian*): I thank the Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo for his kind words addressed to my country.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution (S/2000/1182) before it, as orally revised in its provisional form. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Argentina, Bangladesh, Canada, China, France, Jamaica, Malaysia, Mali, Namibia, Netherlands, Russian Federation, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

The President (*interpretation from Russian*): There were 15 votes in favour. The draft resolution, as orally revised in its provisional form, has been adopted unanimously as resolution 1332 (2000).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.30 a.m.